

Community Planning and Economic Development Planning Division Report

Conditional Use Permits, Variances, Site Plan Review, Preliminary Plat
BZZ-2661
PL-182

Date: October 31, 2005

Applicant: Central Community Housing Trust

Address of Property: 300 Queen Avenue North

Project Name: Ripley Gardens

Contact Person and Phone: Matthew Hendrick 612-341-3148x229; Pam Bookhout 612-341-3148x231

Planning Staff and Phone: Lonnie Nichols, 612-673-5468

Date Application Deemed Complete: September 30, 2005

End of 60-Day Decision Period: November 29, 2005

End of 120-Day Decision Period: Not applicable at this time.

Ward: 5 **Neighborhood Organization:** Harrison

Existing Zoning: R4 (medium density, multiple-family) residential district

Proposed Zoning: No change proposed, not applicable for this application.

Zoning Plate Number: 12

Legal Description: Lots 1 through 8 inclusive of Lot 23, also that part of Lot 22 lying Northeasterly of a line drawn from the Northwest corner of said Lot 22 to a point on the East line of said Lot 22 distant 18 feet Northerly of the Southeast corner thereof, Block 1, A.T. Ankeny's Addition to Minneapolis, together with all that portion of the vacated alleys adjoining said above lots and lying North of the extension across the alley of the South lines of Lots 8 and 23 Block 1, said Addition, according to the recorded plat thereof, and situated in Hennepin County, MN.

Proposed Use: 60 unit (8 ownership and 52 rental) residential cluster development on 1.9 acre site that will include the renovation of 3 existing historic structures and 3 new buildings.

Concurrent Review: Central Community Housing Trust has filed application to renovate three existing buildings and construct three new buildings to create a mix of 60 dwelling units (52 rental and 8 ownership proposed) in a multi-family, residential cluster development called Ripley Gardens at a

CPED – Planning Division Report
BZZ - 2661

historically designated property located at 300 Queen Avenue North in the R4 (medium density, multiple family residential) zoning district.

The said land use application includes:

Conditional Use Permits for a residential Cluster Development and for building height for three-story buildings approximately 30 feet tall and for one four-story building 45 feet tall where 2.5 story buildings 35 feet in height are allowed;

Variances for setbacks along Penn Avenue, Queen Avenue and the South interior lot line for building location, permitted obstructions, mechanical equipment, and parking between a principal building and front lot line; size and location of landings, patios, canopies, stairways, and sidewalks; drive aisle width and parking; and,

Site Plan Review and Re-Plat of the property.

Applicable zoning code provisions: Chapter 520, Introductory Provisions, and specifically section 520.160, definitions; Chapter 525, Article VII, Conditional Use Permits; Chapter 525, Article IX Variances, specifically section 525.520(1) “to vary the yard requirements, including permitted obstructions into required yards not allowed by the applicable regulations.”, section 525.520(8) “to permit parking that cannot comply with the location requirements for on-site parking.....”, and section 525.520 (14) “to reduce the minimum required width of parking aisles.....”; Chapter 530 Site Plan Review; Chapter 535, Regulations of General Applicability, and specifically Table 535-1 Permitted Obstructions in Required Yards; Chapter 541 Off-street parking and loading; Chapter 546 Residence Districts; Chapter 598 Land Subdivision Regulations.

Background: The Maternity Hospital Complex (Ripley Gardens Site) was locally designated in 1986 and was placed on the National Register of Historic Places in 1980. To encourage consistency by the City during the review of this proposal, the following paragraph contains excerpts from the staff findings presented to the Minneapolis Heritage Preservation Commission. The HPC recommended approval of the Ripley Gardens proposal, with building material and window replacement conditions, on September 13, 2005.

The subject property is located south of Glenwood Avenue between Queen Avenue North and Penn Avenue North and sits on 1.9 acres. The block consists of three remaining contributing buildings. The two-story, brick Ripley Memorial Hospital was constructed in 1916 and is a simple rectangular building with a Tudor limestone entrance. There is a later, non-contributing brick boiler house and smoke stack attached to this building, which will be demolished and removed during the renovation. The Emily Paddock Cottage is an Elizabethan Revival, brick and stucco house and was constructed in 1910 as a residential home for nurses. This building also has a rear, non-contributing addition that will be removed during the renovation. The Babies’ Bungalow was built in 1910 for sick infants and is a one-story, stone cottage. This complex of buildings represents a significant chapter in both women’s and medical history in Minnesota. Its founder, Dr. Martha Ripley, was a well-known advocate of women’s rights and social reform in Minnesota for over thirty years. When established in 1887, the hospital was unique for its compassionate treatment of unwed mothers and charity maternity cases.

CPED – Planning Division Report
BZZ - 2661

Previous City actions at the site include the vacation of the alleys, a conditional use permit for an addition to the existing nursing home in 1969, and no action being taken on a variance for the increase in height of an accessory building in 1984.

The Harrison Neighborhood Association submitted a letter to CCHT, dated July 15, 2003, in support of the Ripley Gardens project. Two property owners in the immediate area expressed concern about the ratio of rental units (52) to ownership units (8).

CONDITIONAL USE PERMIT for CLUSTER DEVELOPMENT

Evaluation Criteria:

Cluster developments are required to comply with the following criteria in addition to meeting CUP standards:

Natural features:

The 1.9 acre site drops in grade an estimated average of 20 feet from North to South over the approximate 320 foot length and 270 foot width of the property. The site currently contains several mature trees and shrubs and 47,546 sf of landscaping area. The redevelopment proposal calls for the removal of a few trees and shrubs, as well as the removal of some existing impervious surface area (sidewalks, walls, parking areas). The removal plan indicates that landscape plants to remain at the site will be protected. The proposed planting plan would contain three (3) rain gardens, an increased number of trees and shrubs, and 41,131 sf of landscaping area.

Findings As Required By The Minneapolis Zoning Code:

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 proposed use, a 60 unit cluster development with six buildings will not be detrimental to or endanger the public health, safety, comfort or general welfare of the area. The new residential use would renovate existing historically designated structures and construct new buildings to revive a vacant property in a residential district.

- 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, nor substantially diminish and impair property values.**

The residential use will not be injurious to the use and enjoyment of other property in the vicinity. The proposed residential use will create 60 units of housing, and the orderly development of the site should be an improvement for surrounding property and permitted uses in the district. A nursing home facility is located to the South of the property on the same block face.

3. Will have adequate utilities, access roads, drainage and/or other necessary facilities.

The project will include adequate utility service, access roads, drainage and/or other necessary facilities consistent with the applicable regulations. The Department of Public Works will need to review and approve the final set of site plans submitted by the applicant.

4. Will adequately provide ingress and egress designed as to minimize traffic congestion in the public streets.

The project will adequately provide ingress and egress designed as to minimize traffic congestion in the public streets. The Public Works department has reviewed the plans and found the curb cuts acceptable with the provision that the curb cut on Penn Avenue for ingress and egress to the second (top) level of parking in the apartment building be widened to 20 feet, by expanding 5 feet to the South, thereby making more room to maneuver and get closer to the 22 feet width required for a two-way drive aisle.

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

The Minneapolis Plan identifies Penn Avenue North from 44th Avenue North to Cedar Lake Road and Glenwood Avenue from I-94 to Penn Avenue North as Community Corridors. The adaptive reuse of three existing buildings and construction of three new buildings for a residential cluster development conforms to the following applicable policies and relevant implementation steps of the Minneapolis Comprehensive Plan.

4.2 Minneapolis will coordinate land use and transportation planning on designated Community Corridors streets through attention to the mix and intensity of land uses, the pedestrian character and residential livability of the streets, and the type of transit service provided on these streets.

Relevant Implementation Steps

Strengthen the residential character of Community Corridors by developing appropriate housing types that represent variety and a range of affordability levels.

Promote more intensive residential development along these corridors where appropriate.

Require that street design for these corridors preserves and enhances the strong residential character and pedestrian orientation of these streets while maintaining the street's capacity to carry current volumes of traffic.

Prioritize transit advantages to Community Corridor streets, and encourage the routing of express transit service to these streets wherever possible.

4.9 Minneapolis will grow by increasing its supply of housing.

Relevant Implementation Steps

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

Review policies and practices that determine the appropriate scale of residential development on properties that come into city ownership or request City development assistance.

Streamline city development review, permitting and licensing to make it easier to develop property in the City of Minneapolis.

Foster community dialog with community participants about appropriate locations and design standards for new housing.

Foster community dialog about housing growth in and adjacent to city neighborhoods.

Improve the information systems that support housing-related policy making, goal setting, and program evaluation.

4.10 Minneapolis will increase its housing that is affordable to low and moderate income households.

Relevant Implementation Steps

Provide regulatory incentives for affordable housing development.

Develop new funding streams for affordable housing.

Promote increased development of housing for very low-income households earning 30% or less of metropolitan median income.

Improve the efficiency of City investment in the creation and preservation of affordable housing.

Develop a close dialog with community participants about appropriate locations and design standards for new affordable housing.

Foster partnerships with housing developers, financial institutions, faith communities and others to extend the City's capacity to create affordable housing.

Partner with other municipalities, the Metropolitan Council and state government to develop a regional strategy for increasing the supply of affordable housing, supported by a more predictable, long-term revenue stream.

Improve access of low-income families to sources of housing financing.

4.11 Minneapolis will improve the availability of housing options for its residents.

Relevant Implementation Steps

Increase variety of housing styles and affordability levels available to prospective buyers and renters.

Provide and maintain moderate and high-density residential areas.

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

Promote accessible housing designs to support persons with disabilities.

Promote mixed-income housing development that offers a range of dwelling unit sizes and levels of affordability.

Diversify the location distribution of affordable housing in order to allay the historic patterns of concentration of poverty that characterizes some neighborhoods.

Encourage the rehabilitation and sensitive reuse of older or historic buildings for housing including affordable housing units.

4.12 Minneapolis will reasonably accommodate the housing needs of all of its citizens.

Relevant Implementation Steps

Permanent housing for people with disabilities shall not be excluded by the zoning ordinance or other land use regulations from the benefit of residential surroundings. Special housing shall be available as needed and appropriately dispersed throughout the city.

Appropriate departments and agencies of the city shall actively enforce anti-discrimination laws and activities that promote Fair Housing practices.

4.14 Minneapolis will maintain the quality and unique character of the city's housing stock, thus maintaining the character of the vast majority of residential blocks in the city.

Relevant Implementation Steps

Continue using high quality materials for new construction and historic preservation that reinforce long-term housing maintenance goals.

Halt the illegal stripping of abandoned or condemned properties and assign a public or non-profit agency to manage the removal and sale of historic and architectural features of these properties.

Encourage adaptive re-use, retrofit and renovation projects that make the city's housing stock competitive on the regional market.

Provide the flexibility in the city's ordinances to improve and maintain existing structures.

Ensure attractive, livable neighborhoods through increased efforts to maintain a clean environment (graffiti, street cleaning, sweeping, etc.) and through increased enforcement of housing and property maintenance codes.

Attain the greatest possible degree of enhancements to neighborhood livability when making infrastructure improvements or modifications.

4.15 Minneapolis will carefully identify project sites where housing redevelopment and or housing revitalization are the appropriate responses to neighborhood conditions and market demand.

Relevant Implementation Steps

Emphasize recycling of existing housing stock whenever feasible through renovation and rehab as an alternative to demolition.

Encourage retrofitting and renovation of older homes, through "This Old House" and other programs.

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

4.17 Minneapolis will promote housing development that supports a variety of housing types at designated Major Housing Sites throughout the city.

Relevant Implementation Steps

Concentrate new housing developments in close proximity to amenities or in locations where value will be sustained over time.

Develop a citywide Housing Strategy for placing medium (10-30 units per acre) to high-density (30+units per acre) new housing on major transportation and transit corridors and near commercial revitalization projects or neighborhood amenities (e.g. sites such as Growth Centers, Major Housing Sites, Commercial Corridors)

Promote the development of new housing that is compatible with existing development in the area as well as to existing historic or older housing stock where appropriate.

9.4 Minneapolis will promote preservation as a tool for economic development and community revitalization.

Relevant Implementation Steps

Use historic preservation goals to encourage development and reinvestment in the city.

Promote the city's high quality, architecturally interesting, readily available and affordable housing stock as a market advantage over suburban competitors.

Identify, designate and protect sites, buildings and districts in the city with historic or architectural significance.

Designate individual buildings with historic or architectural significance that have been identified by the city's Heritage Preservation Commission.

Protect designated structures, sites and districts from demolition, neglect or inappropriate modifications.

Develop creative economic incentives in the public and private sector to promote the rehabilitation, maintenance and reuse of the city's historic resources.

9.5 Minneapolis will support the development of residential dwellings of appropriate form and density.

Relevant Implementation Steps

Promote the development of well designed moderate density residential dwellings adjacent to one or more of the following land use features: Growth Centers, Commercial Corridors, Community Corridors and Activity Centers.

9.8 Minneapolis will maintain and strengthen the character of the city's various residential areas.

Relevant Implementation Steps

Encourage the rehabilitation of older and historic housing stock over demolition.

Ensure that city grants and programs are targeted to housing development or rehabilitation that reflects the traditional architectural character of residential areas.

9.14 Minneapolis will increase citizen awareness of preservation and the important role it plays in fostering community revitalization and civic pride.

Relevant Implementation Steps

Continue to recognize outstanding projects, programs, individuals and organizations that have significantly contributed to the city's physical heritage and the enhancement of the urban environment.

Design and install appropriate and interpretive signs and historical markers for designated historic districts and sites.

9.16 Minneapolis will encourage new development to use human scale design features and incorporate sunlight, privacy, and view elements into building and site designs.

Relevant Implementation Steps

Encourage the design of all new buildings to fulfill light, privacy and view requirements for the subject building as well as for adjacent buildings.

Promote the preservation and enhancement of view corridors that focus attention on natural or built features, such as the downtown skyline, landmark buildings, significant open spaces or water bodies.

9.17 Minneapolis will build on recent initiatives to use Crime Prevention Through Environmental Design (CPTED) principles when designing all projects that impact the public realm, including open spaces and parks, on publicly owned and private land.

Relevant Implementation Steps

Integrate "eyes on the street" design principles into site plan review to foster safer and more successful commercial areas in the city.

Orient new housing to the street to foster safe neighborhoods.

Encourage private developers to incorporate CPTED-oriented open spaces in new developments to facilitate the creation of spaces that maximize positive behavior from users.

9.22 Minneapolis will promote increased housing production in designated areas of the City in order to accommodate population growth.

Relevant Implementation Steps

Use both infill development and new development opportunities to increase housing in the city.

Consistent with the City of Minneapolis adopted Housing Principles, develop strategies so that the variety of housing types throughout the city and its communities shall be increased, giving prospective buyers and renters greater choice in where they live.

Develop an approach to residential development which combines housing form and housing density; for example, medium density residential development may be a townhouse development as well as a high-rise structure, while an attached dwelling form may result in a low density development or a medium density development.

Ensure that new development projects incorporate a mix of housing types and affordability levels to reach a range of housing submarkets.

9.27 Minneapolis will coordinate land use and transportation planning on designated Community Corridors through attention to the mix and intensity of land uses, the pedestrian character and residential livability of streets, and the type of transit service provided on these streets.

Relevant Implementation Steps

Strengthen the residential character of community corridors by developing appropriate housing types that represent variety and a range of affordability levels.

Promote more intensive residential development along these corridors where appropriate.

Require that street design for these corridors preserves and enhances the strong residential character and pedestrian orientation of these streets while maintaining the street's capacity to carry current volumes of traffic.

Prioritize transit advantages to community corridor streets, and encourage the routing of express transit service to these streets wherever possible.

6. And, does in all other respects conform to the applicable regulations of the district in which it is located.

The project will conform to the regulations of the district, provided the conditional use permit, variances, site plan review with alternative compliance, and plat for this land use application are approved. The applicant has indicated they will comply with all applicable regulations and historic requirements of the district.

Cluster Developments are subject to the following Specific Development Standards from Chapter 536 of the zoning code:

- (A) Any application for cluster development approval shall include a development plan which shall consist of a statement of the proposed use of all portions of the land to be included in**

the cluster development and a site plan showing all existing and proposed development, including but not limited to the location of structures, parking areas, vehicular and pedestrian access, open space, drainage, sewerage, fire protection, building elevations, landscaping, screening and bufferyards, and similar matters, as well as the location of existing public facilities and services.

The applicant has provided the said materials as part of the Preliminary Development Review (PDR) process and this land use application and public hearing. The Public Works-Right of Way division has indicated that the final plat should show utility easements. Additional comments providing guidance for utility specifications and best management practices (e.g. erosion control plan) are listed in the PDR notes.

- (B) All land proposed for cluster development shall be platted or replatted into one or more lots suitable for cluster development, and as such shall comply with all of the applicable requirements contained in Chapter 598, Land Subdivision Regulations.**

The applicant has submitted a preliminary plat. See findings in plat/subdivision section of this report.

- (C) The cluster development shall meet the minimum lot area and lot width requirements of the zoning district. There shall be no minimum lot area or lot width requirements for individual lots within the cluster development.**

The lot area is 83,721 sf, with an approximate 320 foot length and 270 foot width.

In the R4 district, the minimum required lot width is 40 feet, and the minimum required lot area for a cluster development is 5,000 sf or 1,500 sf per dwelling unit , whichever is greater.

However, the applicant is eligible for two (2), twenty percent (20%) density bonuses by section 546.130 of the code for providing enclosed parking and affordable housing. With one density bonus, the minimum lot area per du would be 1200 sf ($1500 \times 20\% = 300$; $1500 - 300 = 1200$). With two density bonuses, the minimum lot area per du would be 900 sf ($1500 - 600 = 900$).

The applicant is providing 1395.35 sf per dwelling unit (calculation: $83,721 \text{ sf}/60 \text{ du}$). The applicant has indicated at least twenty percent (20%) of the units will meet the definition of affordable housing, and the applicant is providing enclosed parking.

Affordable housing is defined as: Housing affordable to households whose income does not exceed fifty (50) percent of the metropolitan median household income, as determined by the U.S. Department of Housing and Urban Development. Housing must remain affordable continuously for a period of not less than fifteen (15) years to qualify as affordable housing.

- (D) Yards of at least such minimum width as required by the zoning district shall be maintained along the periphery of the cluster development. Yards for individual lots within the cluster development shall not be required. The distance between principal buildings within the cluster development shall be not less than ten (10) feet.**

The plans indicate that the distance between principal buildings within the cluster development shall be not less than ten (10) feet. The applicant has requested yard variances for the following:

for building setbacks for new construction: on Queen Avenue from the established setback (by the adjacent property) of 25 feet to 7 feet for the Triplex and 8 feet for the five-unit Rowhouse; on Penn Avenue from the established setback (by a string test between the stone cottage {4 foot setback} and adjacent property {40 foot setback}) of approximately 30 feet to 25 for the apartment building; and on the South interior lot line from the required setback of 11 feet for a four-story building to 9 feet for the apartment building.

for permitted obstructions to allow a concrete pad for utility service 60 sf and 6 feet from the south interior lot line, ground level patio of 120 sf serving accessory entrance 6 feet from the south interior lot line, and for balconies projecting more than 4 feet into the required south interior lot line.

for a walkway and stairway width of 12 feet (with an ornamental hand rail 6 foot on center) and 44 sf landing serving the rowhouse on Queen Avenue; for a walkway and stairway width of 16 feet (with an ornamental hand rail 8 foot on center) and 320 sf landing and estimated 200 sf landing serving the apartment building on Penn Avenue, and; 80 sf landing serving the stone cottage on Penn Avenue, where 6 feet width walkways and stairs and 36 sf landings are allowed.

for parking between a principal building and front lot line on Queen Avenue for 4 stalls and on Penn Avenue for 3 stalls; and for two-way drive aisle width from the required 22 feet to 16 feet on Penn Avenue.

- (E) Not less than forty (40) percent of the land in a cluster development shall be designated as common space for the benefit of all of the residents of the development. Such common space shall be a contiguous area under common ownership or control and shall be located so that it is directly accessible to the largest practical number of dwellings within the development. Safe and convenient pedestrian access shall be provided to such common space for dwellings not adjoining such space. Common space shall include but is not limited to landscaped yards, recreation areas, wetlands, waterbodies and common parking facilities. However, not more than one-half of required common space shall consist of such parking facilities, driveways and private roadways. The city planning commission may approve alternatives to this requirement where strict adherence is impractical because of site location or conditions and the proposed alternative meets the intent of this section.**

The applicant has submitted an overlay of the site that shows 40,186 sf or forty-eight percent (48%) of the grounds will be designated as common space for the benefit of all the residents of the development. The majority of the common space is a contiguous area of landscaped yards,

serpentine sidewalks, and open yard in the Northeast quadrant of the development that would provide safe and convenient pedestrian access.

(F) To the extent practical, all new construction or additions to existing buildings shall be compatible with the scale and character of the surroundings, and exterior building materials shall be harmonious with other buildings in the neighborhood. Not less than eighty (80) percent of the habitable floor area of single or two family dwellings and multiple family dwellings of three (3) and four (4) units shall have a minimum width of twenty-two (22) feet. Cluster developments not otherwise governed by Chapter 530, Site Plan Review, shall comply with the principal entrance and windows requirements of Chapter 535, Regulations of General Applicability. The city planning commission may approve alternatives to this requirement where strict adherence is impractical because of site location or conditions and the proposed alternative meets the intent of this section.

The Heritage Preservation Commission has reviewed the exterior materials proposed for the new buildings and renovations to the existing structures and found them to be compatible with the scale and character of the surroundings. The structures meet the minimum width requirement of twenty-two (22) feet. The principal entrance and window requirements for Chapter 530, Site Plan Review, have been met with the exception that alternative compliance would be needed for components of the renovation for the stone cottage and tudor, as well as for sections of the new apartment building. The City Planning Commission would also need to approve variances contained in this report for stair and sidewalk width, oversize patios and landings, and permitted obstructions as alternatives to the requirements of Chapter 535.

(G) An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening and other site improvements consistent with the character of the neighborhood.

The site currently contains several mature trees and shrubs and 47,546 sf of landscaping area. The redevelopment proposal calls for the removal of a few trees and shrubs, as well as the removal of some existing impervious surface area (sidewalks, walls, parking areas). The development would retain the existing (historic) presence of open space along Glenwood and Penn Avenues, and landscaping area around the building footprints and near the southern lot line adjacent to the apartment building and surrounding a utility service pad. The transition area along the interior lot line is proposed as sod/turf grass that would connect to the existing turf grass setback area providing a setback from the service entry and parking area of the adjacent nursing home facility.

(H) Any cluster development which includes a manufactured home or a manufactured home park shall be first allowed in the R2 Two-family District.

Manufactured homes have not been included as part of the Ripley Gardens development proposal.

CONDITIONAL USE PERMIT to INCREASE MAXIMUM PERMITTED HEIGHT:

for three-story buildings approximately 30 feet tall and for one four-story building 45 feet tall where 2.5 story buildings 35 feet in height are allowed.

Findings as required by the Minneapolis Zoning Code:

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.

Due to the drop in grade change from North to South on the site, parts of the new and existing buildings will exceed the 2.5 story and 35 foot height maximums for cluster developments. The existing tudor building is 3 stories and 32 feet in height to the midpoint of a peaked roof, the hospital building is 3 stories and not exceeding 35 feet for the majority of structure but the southern façade is 4 stories and 41 feet to the top of a flat roof, the southern part of the triplex would be 3 stories and 31 feet to the top of a flat roof, the southeast corner of the five unit row house would be 3 stories and 34 feet to the top of a flat roof, and apartment building would be four stories and 45 feet tall to the top of a flat roof. The portions of the buildings exceeding the maximum height requirements will not be detrimental to or endanger the public health, safety, comfort or general welfare.

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 proposed buildings would not exceed the height of the historic buildings at the site. The tallest building, the apartments located at the south of the site, would be built up from the lowest elevation at the site, thereby minimizing the impact of the increased height. The proposed buildings 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.

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

The project will include adequate utility service, access roads, drainage and/or other necessary facilities consistent with the applicable regulations. The Department of Public Works will need to review and approve the final set of site plans submitted by the applicant.

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

The project will adequately provide ingress and egress designed as to minimize traffic congestion in the public streets. The Public Works department has reviewed the plans and found the curb cuts acceptable with the provision that the curb cut on Penn Avenue for ingress and egress to the second (top) level of parking in the apartment building be widened to 20 feet, by expanding 5 feet to the South, thereby making more room to maneuver and get closer to the 22 feet width required for a two-way drive aisle.

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

See findings in previous conditional use permit for the cluster development. Note specifically:

4.9 Minneapolis will grow by increasing its supply of housing.

Relevant Implementation Steps

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

4.10 Minneapolis will increase its housing that is affordable to low and moderate income households.

Relevant Implementation Steps

Provide regulatory incentives for affordable housing development.

4.15 Minneapolis will carefully identify project sites where housing redevelopment and or housing revitalization are the appropriate responses to neighborhood conditions and market demand.

Relevant Implementation Steps

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

9.4 Minneapolis will promote preservation as a tool for economic development and community revitalization.

Relevant Implementation Steps

Promote the city's high quality, architecturally interesting, readily available and affordable housing stock as a market advantage over suburban competitors.

9.5 Minneapolis will support the development of residential dwellings of appropriate form and density.

Relevant Implementation Steps

Promote the development of well designed moderate density residential dwellings adjacent to one or more of the following land use features: Growth Centers, Commercial Corridors, Community Corridors and Activity Centers.

9.17 Minneapolis will build on recent initiatives to use Crime Prevention Through Environmental Design (CPTED) principles when designing all projects that impact the public realm, including open spaces and parks, on publicly owned and private land.

Relevant Implementation Steps

Orient new housing to the street to foster safe neighborhoods.

Encourage private developers to incorporate CPTED-oriented open spaces in new developments to facilitate the creation of spaces that maximize positive behavior from users.

9.22 Minneapolis will promote increased housing production in designated areas of the City in order to accommodate population growth.

Relevant Implementation Steps

Use both infill development and new development opportunities to increase housing in the city.

Consistent with the City of Minneapolis adopted Housing Principles, develop strategies so that the variety of housing types throughout the city and its communities shall be increased, giving prospective buyers and renters greater choice in where they live.

Ensure that new development projects incorporate a mix of housing types and affordability levels to reach a range of housing submarkets.

9.27 Minneapolis will coordinate land use and transportation planning on designated Community Corridors through attention to the mix and intensity of land uses, the pedestrian character and residential livability of the streets, and the type of transit service provided on these streets.

Relevant Implementation Steps

Strengthen the residential character of community corridors by developing appropriate housing types that represent variety and a range of affordability levels.

Promote more intensive residential development along these corridors where appropriate.

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 project will conform to the regulations of the district, provided the conditional use permit, variances, site plan review with alternative compliance, and plat for this land use application are approved. The applicant has indicated they will comply with the applicable regulations of the district, including historic requirements.

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 proposed cluster development should not impact the access to light and air of surrounding properties. Other than the existing nursing home facility, that is located directly south of the subject site, at an estimated 50 feet setback from the interior lot line, the proposed cluster development would be the only structures on the block. The majority of the subject site is bounded by Queen, Penn, and Glenwood Avenues.

(2) Shadowing of residential properties or significant public spaces.

The proposed cluster development would be located to the North of an existing nursing home facility. The placement of the buildings would not cast shadows on nearby adjacent properties, but the triplex and row house buildings may cause some morning shadows on Queen Avenue.

(3) The scale and character of surrounding uses.

The Maternity Hospital Complex (Ripley Gardens Site) was locally designated in 1986 and was placed on the National Register of Historic Places in 1980. The site currently consists of three remaining contributing buildings; the brick Ripley Memorial Hospital, the Emily Paddock Cottage (the Tudor) made of brick and stucco, and the Babies' Bungalow (stone cottage). Surrounding the existing historic site is a nursing home facility to the South (2 stories facing East and 3 stories facing West), residential structures to the East and West, and a mix of residential and commercial uses on Glenwood Avenue to the North. Most of the homes surrounding the Ripley Gardens site are 2 stories, and several on Glenwood Avenue are 2.5 to 3 stories tall. Wood and stucco are the predominant exterior materials, and there is a single story duplex on Queen Avenue that incorporates brick. On Glenwood Avenue there is a vacant and boarded house at Queen, a vacant and boarded gas station at the Northwest corner of Penn, and a convenience store at the Southeast corner of Penn and Glenwood. There is an open area with ball diamonds within one block of the site that is connected to the Bassetts Creek trail.

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

Given that the largest structure proposed would be an apartment building located near the southern lot line in the middle of the lot and at the lowest grade at the site, the impact on the preservation of views of landmark building, significant open spaces or water bodies would be negligible. The National Park Service, State Historic Preservation Office, and Minneapolis Heritage Preservation Office have previously reviewed and approved the site plan.

VARIANCE

for building setbacks for new construction: on Queen Avenue from the established setback (by the adjacent property) of 25 feet to 7 feet for the Triplex and 8 feet for the five-unit Rowhouse; on Penn Avenue from the established setback (by a string test between the stone cottage {4 foot setback} and

adjacent property {40 foot setback}) of approximately 30 feet to 25 for the apartment building; and on the South interior lot line from the required setback of 11 feet for a four-story building to 9 feet for the apartment building.

Findings Required by the Minneapolis Zoning Code:

- 1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

The new structures for the cluster development have been placed in the proposed locations to preserve existing trees, functional green space, and site lines to the historic structures. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.

- 2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property, due to the historic nature designation and grade change of the site. The new structures for the cluster development have been placed in the proposed locations to preserve existing trees, functional green space, and site lines to the historic structures.

- 3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

The granting of the variance will allow new structures to be built closer to the front lot line on Queen Avenue, while preserving site lines to the historically designated hospital building that is setback 71 feet. The granting of the variance for the apartment building will allow a structure to be built in the south center of the site, where it is designed to have limited impact on functional greenspace and site lines to the historic structures.

- 4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

The proposed setback variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.

VARIANCE

for permitted obstructions to allow a concrete pad for utility service 60 sf and 6 feet from the south interior lot line, ground level patio of 120 sf serving accessory entrance 6 feet from the south interior lot line, and for balconies projecting more than 4 feet into the required south interior lot line.

Findings Required by the Minneapolis Zoning Code:

- 1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

The location for the placement of the concrete pad for utility service was selected based on feasibility and respect to historic preservation guidelines. The ground level patio would serve the community room and provide an ADA accessible exit pad. The balconies would provide an amenity and southern exposure for residential units.

- 2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property, due to the historic nature designation and grade change of the site. The new apartment building proposed for the cluster development has been placed in the proposed location to preserve existing trees, functional green space, and site lines to the historic structures. The utility pad, ground level patio, and balconies would serve the apartment building.

- 3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

The granting of the variance for the apartment building will allow the structure proposed in the south center of the site, where it is designed to have limited impact on functional greenspace and site lines to the historic structures, to have adequate utility service, an ADA accessible exit and sitting space from the community room, and balcony amenity for selected residential units. The landscaping shows that the utility service pad will be screened with hydrangea.

- 4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

The proposed variance for permitted obstructions will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.

VARIANCE

for a walkway and stairway width of 12 feet (with an ornamental hand rail 6 foot on center) and 44 sf landing serving the rowhouse on Queen Avenue; for a walkway and stairway width of 16 feet (with an ornamental hand rail 8 foot on center) and 320 sf landing and estimated 200 sf landing serving the apartment building on Penn Avenue, and; 80 sf landing serving the stone cottage on Penn Avenue, where 6 feet width walkways and stairs and 36 sf landings are allowed.

Findings Required by the Minneapolis Zoning Code:

- 1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

The wide walkways, stairs, and landings are designed to mark the principal entries of the structures and blend with the scale of the new buildings and construction of the historic buildings, entries and pathways at the site. Staff believes that the historic designation of the site supports some latitude on walkway, stairway and landing size, but is recommending the City Planning Commission limit that latitude to twelve feet in width in an attempt to limit impervious surface area at the site.

- 2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property, due to the historic nature designation and grade change of the site. Entries need to be provided to the new structures for the cluster development that have been placed in the proposed locations to preserve existing trees, functional green space, and site lines to the historic structures.

- 3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

Staff believes that stairway widths of 12 feet with hand rails in the center have previously been selectively approved the City Planning Commission for medium to high density multi-family developments. In this case, the stairs and landings would serve the principal entrances of the buildings and provide a safe transition area entering the buildings. The Heritage Preservation Commission has approved the proposed entries.

- 4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

The proposed variance for permitted obstructions will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.

VARIANCE

for parking between a principal building and front lot line on Queen Avenue for 4 stalls and on Penn Avenue for 3 stalls; and for two-way drive aisle width from the required 22 feet to 16 feet on Penn Avenue.

Findings Required by the Minneapolis Zoning Code:

- 1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

The area proposed for parking on Queen Avenue is the reconfiguration of an existing parking area. The area proposed for parking and a drive aisle on Penn Avenue appears to be too much for the space provided. Staff is recommending the removal of the three (3) parking stalls proposed for Penn Avenue, or reconfiguration of the parking and entry area to widen the drive aisle width by reducing the impervious surface (sidewalk, stairs, landings) square footage in that said area of the site.

- 2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property, due to the historic nature designation and grade change of the site. However, in this case, the applicant could remove or redesign the parking and entry area on Penn Avenue to make the two-way drive aisle width more code compliant, safe, and functional. The area proposed for parking on Queen Avenue is the reconfiguration of an existing parking area.

- 3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

The granting of the variance from 22 feet to 16 feet for a new two-way drive aisle and to allow parking between a principal building and front lot line, where it did not previously exist, on Penn Avenue would not be in keeping with the spirit and intent of the ordinance. Staff is recommending the removal of the three (3) parking stalls proposed for Penn Avenue, or reconfiguration of the parking and entry area to widen the drive aisle width by reducing the impervious surface (sidewalk, stairs, landings) square footage in that said area of the site.

- 4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

The proposed variance for parking and drive aisle width would not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.

Required Findings for Site Plan Review

A. The site plan conforms to all applicable standards of Chapter 530, Site Plan Review. (See Section A Below for Evaluation.)

B. The site plan conforms to all applicable regulations of the zoning ordinance and is consistent with applicable policies of the comprehensive plan and applicable small area plans adopted by the city council. (See Section B Below for Evaluation.)

Section A: Conformance with Chapter 530 of Zoning Code

BUILDING PLACEMENT AND FAÇADE:

- Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.
- First floor of the building shall be located not more than eight (8) feet from the front lot line (except in C3S District or where a greater yard is required by the zoning ordinance). If located on corner lot, the building wall abutting each street shall be subject to this requirement.
- The area between the building and the lot line shall include amenities.
- The building shall be oriented so that at least one (1) principal entrance faces the public street. In the case of a corner lot, the principal entrance shall face the front lot line.
- Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.
- For new construction, the building walls shall provide architectural detail and shall contain windows as required by Chapter 530 in order to create visual interest and to increase security of adjacent outdoor spaces by maximizing natural surveillance and visibility.
- In larger buildings, architectural elements, including recesses or projections, windows and entries, shall be emphasized to divide the building into smaller identifiable sections.
- Blank, uninterrupted walls that do not include windows, entries, recesses or projections, or other architectural elements, shall not exceed twenty five (25) feet in length.
- Exterior materials shall be durable, including but not limited to masonry, brick, stone, stucco, wood, metal, and glass.
- The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.
- The use of plain face concrete block as an exterior material shall be prohibited fronting along a public street, public sidewalk, public pathway, or adjacent to a residence or office residence district.
- Entrances and windows:
 - 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 530.120 of the zoning code.

- 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. At least thirty (30) percent of the first floor building wall that faces a public street, public sidewalk or public pathway shall be occupied by active uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.**

The placement of the triplex and rowhouse building reinforce the street wall along Queen Avenue, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation. The facades of the triplex and rowhouse building are located between 7 and 12 feet from the front lot line on Queen Avenue. The triplex is set back 21 feet from Glenwood Avenue and the apartment building is located to the South and center of the lot. The new structures for the cluster development have been placed in the proposed locations to preserve existing trees, functional green space, and site lines to the historic structures. The area between the buildings and the lot lines includes amenities.

The buildings are oriented so that at least one (1) principal entrance for each building, except the stone cottage, faces the public street. The triplex has principal entries facing both Queen and Glenwood, as well as to the interior of the site. Most of the on-site accessory parking facilities are enclosed and located within the rowhouse (9 stalls) and apartment building 45 stalls. Seven (7) stalls are proposed at grade, 4 on Queen and 3 on Penn, and are reviewed under a variance in this report. The building walls for the new structures provide architectural detail and contain windows as required by Chapter 530 in order to create visual interest and to increase security of adjacent outdoor spaces, with the exception of 32, 47, and 57 feet sections of the ground and lower level parking areas of the apartment building that would be surfaced with C.I.P. Concrete w/Reveal. Staff is recommending the 57 feet section facing South be revised to include architectural detailing and/or windows. Given that the 32 and 47 feet sections of blank wall space on the West and North facades of the apartment building also face the rear

CPED – Planning Division Report
BZZ - 2661

of the rowhouses and hospital building, staff is recommending alternative compliance for these wall sections and the lack of a principal entry serving the stone cottage that faces a public street in exchange for historic preservation at the site.

The buildings contain architectural elements, including recesses and projections, and windows and entries, to divide the buildings into smaller identifiable sections. The exterior materials and appearance of the rear and side walls of any building are similar to and compatible with the fronts of the buildings. The HPC recommended approval of the Ripley Gardens proposal, conditioning final review and approval authority of building materials and window replacements for the historic structures, on September 13, 2005.

The principal entrances are 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. The structures contain multiple entrances. The applicant has provided the following percentages in response to the requirement for 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. An explanation is provided for the glazing percentage shortages on the tudor, stone cottage, and apartment building. The windows are vertical in proportion and distributed in a more or less equal pattern per building throughout the development.

Ripley Gardens: Window percentages:

- A (Hospital Building):

Penn Avenue East (West Elev. similar): Ground Floor: 23%; Upper Floors: 26%
Glenwood Avenue (North Elevation): Ground Floor: 32%; Upper Floors: 21%
South Elevation: Ground Floor: 40%; Upper Floors: 40%

- B (Tudor): West Elevation: Ground Floor: 17.8%*; Upper Floor: 19%

East Elevation: Ground Floor: 16.5%*; Upper Floor: 19%
North Elevation: Ground Floor: 17.6%*; Upper Floor: 12%
South Elevation: Ground Floor: 19.2%*; Upper Floor: 24%

-C (Cottage): West Elevation: Ground Floor: 36% including porch

East Elevation: Ground Floor: 13%*
North Elevation: 33% including porch
South Elevation: 23%

-D (Apartment): West Elevation: Ground Floor to garage: 13%*; Upper Floors: 26%

East Elevation: Ground & Upper Floor: 29%
North El: Ground under grade: 4%; 2nd Floor @ Grade: 25%, Upper Floors: 25%
South Elevation: Ground 16.4%*; Upper Floors: 27%

-E (Triplex): West Elevation: Ground Floor: 20%; Upper Floors: 22-26%

East Elevation: Ground Floor: 24%; Upper Floors: 19-26%
North Elevation: Ground Floor: 20%; Upper Floors: 12-14%

CPED – Planning Division Report
BZZ - 2661

South Elevation: Ground Floor: 22%; Upper Floors: 15%

-F (Rowhouses): West Elevation: Ground Floor: 34%; Upper Floor: 29%
East Elevation: Ground Floor: 28%; Upper Floor: 17%
North Elevation: Ground Floor: 20%; Upper Floor: 13%
South Elevation: Ground Floor: 20%; Upper Floor: 15%

Where (*) is marked, the proposed plans are deficient related to the 20% code requirement. At the Tudor and Cottage houses, preservation standards required conforming with existing conditions, so the window percentage was slightly lower than 20%. At the Apartment Building, where the South and West Elevations are deficient; the building sections are not facing high-traffic public streets or public sidewalks.

The form and pitch of roof lines for new construction at the site matches the flat roof pitch of the historic hospital building at the site and adjacent nursing home facility. Green roof sections have been proposed as potential additions to the flat roof of the apartment building, dependent on the availability of funding. The existing tudor and stone cottage at the site have pitched roofs that are similar to the pitched roof lines of the surrounding residential structures.

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.**

Clear and well-lighted walkways of at least four (4) feet in width connect the building entrances to the adjacent public sidewalk and to the accessory parking facilities and other buildings located on the site. There is a transit shelter on Glenwood Avenue that is well lighted, weather protected and placed in a location that promotes security. There is also a bus stop on Penn Avenue, close to the intersection on Glenwood.

Vehicular access and circulation is designed to minimize conflicts with pedestrian traffic and surrounding residential uses. There is not an alley at the site, and therefore the project is not subject to section 530.150 (b) related to alley access. Traffic is directed to minimize impact upon residential properties by providing two level parking in apartment building with ingress and egress on both Queen and Penn Avenue.

CPED – Planning Division Report
BZZ - 2661

The site plan shows that the total lot area is 83,721 sf, and the impervious surface area is 41,100 sf or forty-nine percent (49%) of the lot area. The applicant has provided the following impervious surface calculations.

Proposed lot 1: 70602SF / 32662SF - 33% Impervious

Proposed lot 2: 5808SF / 2339SF - 40% Impervious

Proposed lot 3: 7260SF / 5570F - 76% Impervious

During the Preliminary Development Review (PDR) meeting, Public Works and planning staff recommended that the curb cut on Penn Avenue providing ingress and egress to the second (top) level of parking in the apartment building be widened to at least 20 feet, by expanding 5 feet to the South, thereby making more room to maneuver and get closer to the 22 feet width required for a two-way drive aisle. Staff requested that the applicant provide a revised plan showing reduced impervious surface area in front of the apartment building entrance on Penn Avenue by downsizing and narrowing landing, sidewalk, and stairway widths.

Staff is recommending the applicant provide at-grade bicycle parking in the common space at the site, to encourage alternative modes of transportation.

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.**

The total lot area is 83,721 sf and the footprint of the buildings is 24,813 sf (5276 + 1596 + 859 + 10,840 + 4429 + 1813). Section 530.160 of the zoning code requires that not less than twenty (20) percent of the site not occupied by buildings (or in this application 4719 sf) shall be landscaped, (calculation: lot area – building footprint x 20% = 83,721 sf – 24,813 = 58,908 x .20 = 11,781.6). Section 530.160 of the code also requires not less than one (1) canopy tree for each five hundred (500) sf and not less than one (1) shrub per each one-hundred (100) sf be planted in the required landscaped area. In order to be in compliance, the minimum required plant count for this site is twenty-four (24) trees and one-hundred-eighteen (118) shrubs.

The applicant has indicated there will be 41,131 sf of landscaping area or 49% (calculation: 41,131/83,721 = .4913). The applicant would provide twenty (20) new trees and one-hundred-forty-seven (147) shrubs at the site. The applicant has also indicated more than four (4) existing trees will be protected and retained at the site, thereby meeting the minimum required plant count.

The composition and location of landscaped areas compliments the scale of the development and its surroundings. The redevelopment proposal calls for the removal of a few trees and shrubs, as well as the removal of some existing impervious surface area (sidewalks, walls, parking areas). The proposed planting plan would contain three (3) rain gardens, and an increased number of trees and shrubs. The development would retain the existing (historic) presence of open space along Glenwood and Penn Avenues, and provide landscaping area around the building footprints and proposed surface parking areas and drive entrances on Queen and Penn Avenue.

There are no outdoor parking lots of 10 spaces or greater. One (1) green ash and three (3) scots pine screen the 4-stall parking area proposed for Queen Avenue. Six (6) mint julep juniper shrubs screen the street frontage of the 3-stall parking area proposed for Penn Avenue. Staff believes bicycle parking should be added to the site plan as an architectural feature in the at grade common area to provide residents and visitors with a transit alternative.

The applicant has indicated that forty-eight percent (48%) of the lot area will be designated as common space for the residents.

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.**
- **Lighting shall comply with the requirements of Chapter 535 and Chapter 541. A lighting diagram may be required.**
- **Parking and loading facilities and all other areas upon which vehicles may be located shall be screened to avoid headlights shining onto residential properties.**
- **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.**

The proposed surface parking lots and drive entrances will be designed with wheel stops or discontinuous curbing to provide on-site retention and filtration of stormwater (might be possible at selected locations on Queen Avenue). 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 (Queen and Penn Avenue). Lighting shall comply with the requirements of Chapter 535 and Chapter 541, and any HPC requirements. The proposed surface parking and loading area would provide landscaping and screening to avoid headlights shining onto residential properties.

The proposed site plan does not block views of important elements of the city, generate wind currents at ground level, or shadow public spaces. The City's crime prevention through environmental design (CPTED) specialist recommends that all vegetation should follow the 3 foot - 6 foot rule, which states that screening should not exceed three feet in height and that the canopies of trees should be over six feet in height allowing a window of visibility into the site. The site plan is an adaptive re-use of an existing historic property located on a community corridor.

Section B: Conformance with All Applicable Zoning Code Provisions and Consistency with the

Comprehensive Plan and Applicable Small Area Plans Adopted by the City Council

ZONING CODE: The proposed residential cluster development is a conditional use in the R4 district.

Off-Street Parking and Loading: The zoning code requires 60 parking stalls, one stall per dwelling unit, but the project would be eligible for a ten (10) percent transit incentive reduction to 54 stalls as described below.

The applicant proposes 61 stalls, but will need to modify the parking plan to provide enclosed van accessible HC parking in the apartment building and rowhouse. Plan Review (building code) staff from the City has indicated that the placement of two (2) van accessible HC stalls near the Penn Avenue entrance to apartment building would not meet the intent of or be in full compliance with section 1341 of the state code.

The parking plan as proposed would include 45 standard sized stalls enclosed on the bottom two floors in the apartment building, 9 parking stalls, including one car accessible HC stall enclosed on the bottom floor of the rowhouse, 4 stalls at grade on Queen Avenue, and 3 stalls at grade on Penn Avenue. Staff would not recommend approval of the three (3) parking stalls proposed for Penn Avenue, unless the applicant would agree to widen the drive aisle width by shrinking the impervious surface (sidewalk, stairs, landings) square footage in that area. Staff is recommending the applicant provide at-grade bicycle parking in the common space dedicated for residents of the cluster development, to encourage alternative modes of transportation and to obtain credit for the provision of another on site parking stall.

The applicant is also eligible for a ten (10) percent reduction in required parking by the zoning administrator under section 541.200 (1), transit incentives for multiple-family dwellings, which allows the minimum parking requirement to be reduced ten (10) percent if the proposed use is located within three hundred (300) feet of a transit stop with midday service headways of thirty (30) minutes or less in each direction.

The current Metro Transit schedule for route 9 has listed service at Penn and Glenwood Avenue North at 12:12 and 12:40 P.M.

Taking into account a 10% reduction, the parking requirement would be 54 stalls (calculation: $60 \times .1 = 6$; $60 - 6 = 54$)

Maximum Floor Area: There is not a maximum FAR in the R4 District for cluster developments.

Building Height: Building height for a cluster development in the R4 District is limited to 2.5 stories or 35 feet, whichever is less. There are findings for a conditional use permit for height earlier in this report, indicating staff support for building height and stories over the maximum allowed in the R4 district.

CPED – Planning Division Report
BZZ - 2661

Minimum Lot Area: The R4 District requires not less than 1500 square feet of lot area per dwelling unit. With 60 proposed dwelling units on a lot of 83,721 square feet, the applicant proposes 1395 square feet of lot area per dwelling unit, but is eligible for the density bonuses listed below.

The lot area is 83,721 sf, with an approximate 320 foot length and 270 foot width.

In the R4 district, the minimum required lot width is 40 feet, and the minimum required lot area for a cluster development is 5,000 sf or 1,500 sf per dwelling unit , whichever is greater.

However, the applicant is eligible for two (2), twenty percent (20%) density bonuses by section 546.130 of the code for providing enclosed parking and affordable housing. With one density bonus, the minimum lot area per du would be 1200 sf ($1500 \times 20\% = 300$; $1500 - 300 = 1200$). With two density bonuses, the minimum lot area per du would be 900 sf ($1500 - 600 = 900$).

The applicant has indicated at least twenty percent (20%) of the units will meet the definition of affordable housing, and the applicant is eligible to receive a ten (10) percent reduction in required parking under section 541.200 (1), transit incentives for multiple-family dwellings for close proximity to a transit stop.

Yard Requirements: The findings for yard variances can be found in previous sections of this report.

Specific Development Standards: The findings for the specific development standards listed for Cluster Developments in Chapter 536 of the zoning code are covered in the conditional use permit for a cluster development section of this report.

Hours of Operation: Not applicable for residential uses, but in general in the R4 District, uses may be open to the public during the following hours: Sunday through Thursday from 7:00 a.m. to 10:00 p.m.; Friday and Saturday from 7:00 a.m. to 10:00 p.m.

Signs: Signs are subject to 531 and 543 of the Zoning Code. All new signs are required to meet the requirements of Chapter 543 of the zoning code. The applicant proposes 2 signs and has indicated the signs will comply with the zoning code and heritage preservation commission standards.

Refuse storage: Refuse storage will be contained in the buildings and/or comply with the screening requirements of the zoning code.

MINNEAPOLIS PLAN:

See findings in Conditional Use Permit sections 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.

The building walls for the new structures provide architectural detail and contain windows as required by Chapter 530 in order to create visual interest and to increase security of adjacent outdoor spaces, with the exception of 32, 47, and 57 feet sections of the ground and lower level parking areas of the apartment building that would be surfaced with C.I.P. Concrete w/Reveal.

Staff is recommending the 57 feet section facing South be revised to include architectural detailing and/or windows. Given that the 32 and 47 feet sections of blank wall space on the West and North facades of the apartment building also face the rear of the rowhouses and hospital building, staff is recommending alternative compliance for these wall sections and the lack of a principal entry serving the stone cottage that faces a public street in exchange for historic preservation at the site.

PRELIMINARY PLAT:

Development Plan:

60 unit (8 ownership and 52 rental) residential cluster development on 1.9 acre site that will include the renovation of 3 existing historic structures and 3 new buildings. See previous sections of this report for additional information.

Previous Actions:

The Maternity Hospital Complex (Ripley Gardens Site) was locally designated in 1986 and was placed on the National Register of Historic Places in 1980. When established in 1887, the hospital was unique

for its compassionate treatment of unwed mothers and charity maternity cases. The site has been vacant for several years.

Previous City actions at the site include the vacation of the alleys, a conditional use permit for an addition to the existing nursing home in 1969, and no action being taken on a variance for the increase in height of an accessory building in 1984.

See background section of this report for additional information.

Other Zoning Applications Required:

See previous sections of this report.

Required Findings for the Plat:

- 1. Subdivision is in conformance with the land subdivision regulations including the requirements of section 598.80 relating to protection of natural resources, applicable regulations of the Zoning Code, and policies of the Comprehensive Plan.**

The applicant has indicated that the implementation of the subdivision will be in conformance with the with the land subdivision regulations including the requirements of section 598.80 relating to protection of natural resources, applicable regulations of the Zoning Code, and policies of the Comprehensive Plan. See previous sections of this report for conditional use permit, variance, site plan review findings, and conformance with the applicable policies of the zoning code. The applicant has indicated forty-eight percent (48%) of the lot area will be designated as common space for residents and that the final plat will comply with the following requirements of 598.260 for a cluster development.

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

- (1) The relationship between all common spaces and each individual lot (rights in the common spaces and proportionate ownership accruing to the individual lot).
- (2) Provision for access to each lot that does not have frontage on a public street.
- (3) A requirement that an owners' association be created. The duties and responsibilities of the owners' association shall include maintaining the elements of the planned unit development or cluster development as authorized under the zoning ordinance or other applicable regulations.
- (4) A provision that the taxes, special assessments, and other charges and fees that would normally be levied against the common spaces shall be levied against the individual lot occupied or to be occupied by buildings in direct proportion to the interest that is stated in the deed restriction and shall provide that such levies shall be a lien against the individual lots.

CPED – Planning Division Report
BZZ - 2661

- (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. 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 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. Vehicles entering and exiting the site on Penn Avenue will need to drive cautiously given the existing volume and speed of traffic on the community corridor and change of grade at the site.

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

The land intended for the building sites can be used safely without endangering the residents or uses of the subdivision and the surrounding area by peril from floods, erosion, high water table, severe soil conditions, improper drainage, steep slopes, utility easements, rock formations, or other hazard. The 1.9 acre site drops in grade an estimated average of 20 feet from North to South over the approximate 320 foot length and 270 foot width of the property, but can be used safely.

- 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 Public Works right of way division reviewed the preliminary plat and had no objections, but indicated that no utility easements shown on the plat. The public works traffic control division has indicated that alterations would be required to the proposed curb cut on Penn Avenue.

- 5. The subdivision makes adequate provision for storm or surface water runoff, and temporary and permanent erosion control. The storm water drainage system shall be separate and independent of any sanitary sewer system. All plans shall be designed in accordance with rules, regulations and standards of the city engineer. Facilities intended to be dedicated to the City shall be located in perpetual, unobstructed easements of a width determined to be adequate and necessary by the city engineer. To the extent practicable,**

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

The 1.9 acre site drops in grade an estimated average of 20 feet from North to South over the approximate 320 foot length and 270 foot width of the property. The site currently contains several mature trees and shrubs and 47,546 sf of landscaping area. The redevelopment proposal calls for the removal of a few trees and shrubs, as well as the removal of some existing impervious surface area (sidewalks, walls, parking areas). The removal plan indicates that landscape plants to remain at the site will be protected. The proposed planting plan would contain three (3) rain gardens, an increased number of trees and shrubs, and 41,131 sf of landscaping area. The applicant has indicated they will comply with the Public Works requirements for site drainage and stormwater management.

RECOMMENDATIONS

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the conditional use permit for a cluster development with 60 dwelling units located at 300 Queen Avenue North, subject to the following conditions:

1. Compliance with the applicable specific development standards for a cluster development listed in Chapter 536 of the zoning code.
2. The designation of a minimum of 40% of the lot area on a site plan overlay as common space for residents of the cluster development.

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 for height for two (2) new three-story buildings approximately 30 feet tall, two (2) existing renovated three story buildings 32 and 35 feet tall, and one (1) new four-story apartment building 45 feet tall located at 300 Queen Avenue North, subject to the following condition:

1. The project shall comply with the actions of the Heritage Preservation Commission.

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 for building setbacks for new construction: on Queen Avenue from the established setback of 25 feet to 7 feet for the

Triplex and 8 feet for the five-unit Rowhouse; on Penn Avenue from the established setback of approximately 30 feet to 25 for the apartment building; and on the South interior lot line from the required setback of 11 feet for a four-story building to 9 feet for the apartment building for the cluster development located at 300 Queen Avenue North.

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 allow a concrete pad for utility service 60 sf and 6 feet from the south interior lot line, ground level patio of 120 sf serving accessory entrance 6 feet from the south interior lot line, and for balconies projecting more than 4 feet into the required south interior lot line for a cluster development at 300 Queen Avenue North.

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 for for a walkway and stairway width of 12 feet (with an ornamental hand rail 6 foot on center) and 44 sf landing serving the rowhouse on Queen Avenue; for a walkway and stairway width of 12 feet (with an ornamental hand rail 8 foot on center) and approximate 240 sf landing and 160 sf landing serving the apartment building on Penn Avenue, and; 80 sf landing serving the stone cottage on Penn Avenue for the cluster development at 300 Queen Avenue North.

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 for parking between a principal building and front lot line on Queen Avenue for 4 stalls for the cluster development at 300 Queen Avenue North.

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

The Community Planning and Economic Development - Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the site plan review application for a six structure, 3 historic building renovations and 3 new construction buildings, residential cluster development of 60 dwelling units located at 300 Queen Avenue North; subject to the following conditions:

1. CPED Planning staff review and approval of the final site, elevation, parking and landscaping plans.

CPED – Planning Division Report
BZZ - 2661

2. 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 on the south elevation of the southernmost building.
3. The removal of the three (3) parking stalls proposed along Penn Avenue, or reconfiguration of the parking and entry area to widen the drive aisle width by reducing the impervious surface (sidewalk, stairs, landings) square footage in the said area of the site.
4. The applicant will provide the required, enclosed van accessible HC parking stalls.
5. The applicant will provide bicycle parking at-grade to the final site plan.
6. All site improvements shall be completed by October 31, 2005, unless extended by the Zoning Administrator, or the permit may be revoked for noncompliance.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the preliminary 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 application for the 60 dwelling unit, residential cluster development located at 300 Queen Avenue North.

Attachments:

1. Statement of use
2. Application worksheets, window and impervious surface calculations
3. Site history and Site fact sheet
4. Applicant's Findings
5. Correspondence - general
6. Correspondence – HPC and National Park Service
7. Preliminary Development Review notes and PW memo
8. Copy of previous City Actions
9. Zoning maps
10. Plans
11. Photos