

**LAND USE APPLICATION SUMMARY**

*Property Location:* 5605 Nicollet Avenue  
*Project Name:* N/A  
*Prepared By:* Kimberly Holien, Principal City Planner, (612) 673-2402  
*Applicant:* William Wells, Architect  
*Project Contact:* William Wells  
*Request:* To construct a multiple-family residential structure with six dwelling units.  
*Required Applications:*

<b>Variance</b>	To reduce the minimum drive aisle width for three surface parking stalls from 22 feet to 8.5 feet.
<b>Site Plan Review</b>	For a multiple-family residential structure with six dwelling units.

**SITE DATA**

<b>Existing Zoning</b>	OR1, Neighborhood Office Residence District AP, Airport Overlay District
<b>Lot Area</b>	5,050 square feet / 0.12 acres
<b>Ward(s)</b>	11
<b>Neighborhood(s)</b>	Windom
<b>Designated Future Land Use</b>	Urban Neighborhood
<b>Land Use Features</b>	Community Corridor (Nicollet Avenue)
<b>Small Area Plan(s)</b>	<u>Nicollet Avenue: The Revitalization of Minneapolis Main Street (2000)</u>

<b>Date Application Deemed Complete</b>	June 14, 2016	<b>Date Extension Letter Sent</b>	N/A
<b>End of 60-Day Decision Period</b>	August 13, 2016	<b>End of 120-Day Decision Period</b>	N/A

## BACKGROUND

**SITE DESCRIPTION AND PRESENT USE.** The site is currently vacant. The most recent structure on the property was a single-family home that was demolished in 1993. A portion of the property, that which lies directly west of the alley, is currently paved and utilized by the adjacent commercial building to the north.

**SURROUNDING PROPERTIES AND NEIGHBORHOOD.** The surrounding area includes a mix of commercial uses and residential uses of varying densities. The property north of the site contains a one-story office building. The property directly south of the site includes a single-family home. The building directly west of the site, across Nicollet Avenue, contains a three-story residential building with 15 dwelling units. Properties to the east are primarily single-family residential.

**PROJECT DESCRIPTION.** The applicant is proposing to construct a 2.5 story residential structure with six dwelling units. Each of the six dwelling units will be two levels. The first floor units are combined with the basement level and the second floor units are combined with the upper half-story. Each unit will contain two bedrooms. The unit sizes range from 800 square feet to 980 square feet.

Three surface parking stalls are proposed in the rear of the property. These parking stalls are designed in a manner that relies on the alley for maneuvering instead of accommodating a drive-aisle on site. As such, a variance to reduce the minimum drive-aisle width from 22 feet to 8.5 feet has been requested. The balance of the site will consist of landscaping, outdoor recreation space for residents and walkways.

The project was originally approved administratively on March 16, 2016, as a 6-unit building with no surface parking. In response to concerns from the neighborhood, the applicant has revised the site plan to include the aforementioned parking stalls. Any time a site plan review application requires other land use applications, the site plan review application requires a public hearing and cannot be reviewed administratively. Now that the projects includes parking and a variance is required, the site plan review application must also be reviewed again as part of the public hearing process.

**PUBLIC COMMENTS.** No correspondence was received for this application.

## ANALYSIS

### VARIANCE

The Department of Community Planning and Economic Development has analyzed the application for a variance of the minimum drive aisle width based on the following findings:

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

As designed, the proposed parking stalls require a drive-aisle that is a minimum of 22 feet in width to accommodate maneuvering on site. The applicant is proposing a drive aisle 8.5 feet in width on the property and the remainder of the space required for maneuvering would occur in the alley. A variance has been requested to reduce the minimum drive aisle width accordingly.

Practical difficulties exist in complying with the ordinance due to circumstances unique to the parcel. The subject parcel is 40 feet in width, 126 feet in depth and zoned to allow for multi-family residential development. The zoning code is written to encourage parking in the rear of the lot and

the width of this lot limits the ability to access parking from an on-site driveway. Additionally, requiring a drive-aisle on site would significantly increase the amount of impervious surface on site for the three parking stalls provided. On-site maneuvering would be impractical with the site constraints of the existing building location and the required yards. These circumstances were not created by the applicant.

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

The variance request is reasonable and in keeping with the spirit and intent of the ordinance and the comprehensive plan. The zoning code allows for maneuvering in the alley for buildings with up to four dwelling units. The applicant is proposing three parking spaces for a six unit building. However, because the regulations for maneuvering in the alley are based on number of dwelling units and number of parking stalls, a variance is required. It could be expected that a four-unit building could have more parking spaces than the three proposed as part of this project. Further, drive aisle width regulations are established to ensure that proper access to off-street parking spaces. Between the 8.5 foot on-site drive aisle and the 14 foot public alley, the maneuvering space for the parking spaces will be in excess of 22 feet.

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

Granting of this variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. Allowing parking spaces for three vehicles to maneuver in the alley will not have any greater impact on the alley than the existing commercial and residential uses on this block. In addition, granting the variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

## SITE PLAN REVIEW

The Department of Community Planning and Economic Development has analyzed the application based on the required [findings](#) and [applicable standards](#) in the site plan review chapter:

### **1. Conformance to all applicable standards of Chapter 530, Site Plan Review.**

#### **BUILDING PLACEMENT AND DESIGN**

##### **Building placement – Meets requirements**

- The ORI district has a front yard setback requirement of 15 feet. The adjacent residential structure has an established setback of 22 feet, increasing the front yard setback requirement to that of the adjacent residential structure. The applicant is proposing a front yard setback of 22 feet, in compliance with the minimum requirement.
- The placement of the building reinforces the street wall, maximizes natural surveillance and visibility, and facilitates pedestrian access and circulation.
- The area between the building and lot line includes amenities such as landscaping and walkways.
- No parking is proposed on the site.

##### **Principal entrances – Meets requirements**

- The building is oriented so that the principal entrance faces the front property line.
- All principal entrances are clearly defined and emphasized. The front entrance facing Nicollet Avenue is emphasized with a porch, glazing in the doors and sidelights. The rear entrance is emphasized in a similar manner.

**Visual interest – Meets requirements**

- The building walls provide architectural detail and contain windows in order to create visual interest.
- The proposed building emphasizes architectural elements – including recesses, projections, windows, and entries – to divide the building into smaller identifiable sections.
- There are no blank, uninterrupted walls exceeding 25 feet in length.

**Exterior materials – Requires alternative compliance**

- The applicant is proposing LP Smart Side lap siding and LP Smart Side wood panel siding as the primary exterior materials. This material is akin to wood siding, which is limited to 75 percent of each elevation. Alternative compliance is requested for the City’s durability standards (see Table 1).
- In addition, the application is consistent with the City’s policy of allowing no more than three exterior materials per elevation, excluding windows, doors, and foundation materials. The applicant is proposing three different types of LP Smart Siding in three different colors, but they are all comprised of the same material.
- Plain face concrete block is not proposed along any public streets, sidewalks, or adjacent to a residence or office residence district.
- The exterior materials and appearance of the rear and side walls of the building are similar to and compatible with the front of the building.

**Table 1. Percentage of Exterior Materials per Elevation**

Material	Allowed Max	North	South	East	West
Wood (LP Smart Siding)	75%	100%	100%	100%	100%

**Windows – Meets requirements**

- For residential uses, the zoning code requires that no less than 20 percent of the walls on the first floor, and no less than ten 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. The project is in compliance with the minimum window requirement (see Table 2).
- The only elevation with a minimum window requirement is the west elevation. However, windows are provided on all elevations of the building.
- All windows are vertical in proportion and are evenly distributed along the building walls.

**Table 2. Percentage of Windows per Applicable Elevation**

	Code Requirement	Proposed		
<b>Residential Uses</b>				
1st floor (west)	20% minimum	41.6 sq. ft.	20%	41.6 sq. ft.
2nd floor (west)	10% minimum	20.8 sq. ft.	28.8%	60 sq. ft.

**Ground floor active functions – Meets requirements**

- At least 70 percent of the first floor building frontage facing the public street, public sidewalk, or public walkway is required to contain active functions. The ground floor facing Nicollet Avenue contains active functions for 100 percent of the elevation.

**Roof line – Meets requirements**

- There are a variety of roof lines on other buildings in the surrounding area. The multi-family residential structure to the west and the office building to the north both have flat roofs. The neighboring low-density residential structures primarily have pitched roofs with varying pitches. There are other multi-family residential structures within one block of the site that have hip and gable roofs. As such, there is no predominant character among the rooflines of multi-family buildings in the area. The principal roof line of the proposed building will have a 12/12 pitch.

**Parking garages – Not applicable**

- There are no parking garages proposed as part of this project.

**ACCESS AND CIRCULATION**

**Pedestrian access – Requires alternative compliance**

- There are clear and well-lit walkways connecting building entrances to the adjacent public sidewalk. However, said walkway is a minimum of three feet in width in lieu of the four feet required. Alternative compliance is requested.
- Similarly, the parking area is connected to the rear building entrance with a walkway that is three feet in width. Alternative compliance is requested for the width of the walkway.

**Transit access – Meets requirements**

- No transit shelters are proposed as part of this development.

**Vehicular access – Requires variances**

- Vehicular access and circulation has been designed to minimize conflicts with pedestrian traffic and with surrounding residential uses. The surface parking lot is accessed from the alley. Cars will maneuver in the alley and thus a variance is required. Staff is recommending approval of said variance based on the findings above.
- No new curb cuts are proposed as part of the project.
- The project includes a 6-unit residential building that will utilize the alley. The proposed alley access will not result in conflicts with other residential uses on this block that also use the alley. Further, there are no alternative access locations due to the narrow lot width.
- As this is a residential project the only service vehicles that will access the property are garbage trucks. Said vehicles will pick-up trash from the alley and will not conflict with pedestrian traffic.
- The proposed site plan minimizes the use of impervious surfaces. According to the materials submitted by the applicant, 61.5 percent of the site will be impervious and the remainder of the site will be landscaped.

**LANDSCAPING AND SCREENING**

**General landscaping and screening – Meets requirements**

- The overall composition and location of landscaped areas complement the scale of development and its surroundings.

- At least 20 percent of the site not occupied by the building is landscaped. The applicant is proposing approximately 1,950 square feet of landscaping on site, or approximately 60 percent of the site not occupied by buildings (see Table 3).
- The applicant is proposing at least one canopy tree per 500 square feet of the required landscaped area, including all required landscaped yards. The tree requirement for the site is one and the applicant is proposing a total of three canopy trees.
- The applicant is proposing at least one shrub per 100 square feet of the required landscaped area, including all required landscaped yards. The shrub requirement for the site is seven and the applicant is proposing 13 shrubs.
- The remainder of the required landscaped area is covered with turf grass and a small amount of wood mulch.

**Table 3. Landscaping and Screening Requirements**

	<b>Code Requirement</b>	<b>Proposed</b>
<b>Lot Area</b>	--	5,050 sq. ft.
<b>Building Footprint</b>	--	1,800 sq. ft.
<b>Remaining Lot Area</b>	--	3,250 sq. ft.
<b>Landscaping Required</b>	650 sq. ft.	1,950 sq. ft.
<b>Canopy Trees (1:500 sq. ft.)</b>	1 trees	4 trees
<b>Shrubs (1:100 sq. ft.)</b>	7 shrubs	13 shrubs

**Parking and loading landscaping and screening – Requires alternative compliance**

- The parking area that abuts the alley contains requires an on-site landscaped yard of at least seven feet in width between the parking area and the alley and between the parking area and the north and south property lines. The applicant is proposing a ten-foot setback between the south row of parking and the alley.
- The landscaped yards between the parking and the alley and along the north property line require screening that is a minimum of three feet in height and 60 percent opaque. The landscaped yard along the south property line requires screening that is a minimum of six feet in height and 95 percent opaque due to the adjacent residential use.
- Between the parking lot and the alley, no landscaped yard is provided. Similarly, no landscaping is provided between the parking area and the north property line. Alternative compliance is requested.
- Along the south property line, a landscaped yard four feet in width is provided for a portion of the parking lot length and the trash enclosure is proposed on the east end of the parking area. A patio area is also located between the parking area and the south property line. An existing 6-foot tall fence is located between the parking area and the south lot line and the applicant is proposing to provide additional fencing at a height of four feet along the south property line. Alternative compliance is requested for the required screening and the width of the landscaped yard in this location.
- Please note that the applicant has provided an alternate parking layout in the project narrative that shows a 7-foot landscaped yard along the north property line and 4-foot landscaped yard along the south property line. This alternative has been provided per staff recommendation but is not actually proposed by the applicant at this time.
- Information included in the landscape plan indicates that the plant materials, and installation and maintenance of the plant materials, would comply with sections 530.200 and 530.210 of the zoning code. All other areas not occupied by buildings, parking and loading facilities, or driveways would be covered with turf grass, native grasses, perennials, wood mulch, shrubs, and trees.

**Concrete curbs and wheel stops – Meets requirements**

- The applicant is not proposing any curbing or wheel stops, given the size of the parking area. This design will allow for stormwater to flow into adjacent green spaces where they are provided. Other stormwater will be captured by City infrastructure.

**Site context – Meets requirements**

- There are no important elements of the city near the site that will be obstructed by the proposed building.
- This building should have minimal shadowing effects on public spaces and adjacent properties.
- This building has been designed to minimize the generation of wind currents at ground level.

**Crime prevention through environmental design – Meets requirements**

- The site plan employs best practices to increase natural surveillance and visibility, to control and guide movement on the site, and to distinguish between public and non-public spaces.
- The proposed site, landscaping, and building promote natural observation and maximize the opportunities for people to observe adjacent spaces and public sidewalks.
- The project provides lighting on site, at all building entrances, and along walkways that maintains a minimum acceptable level of security while not creating glare or excessive lighting of the site.
- The landscaping, sidewalks, lighting, fencing, and building features are located to clearly guide pedestrian movement on or through the site and to control and restrict people to appropriate locations.
- The entrances, exits, signs, fencing, landscaping, and lighting are located to distinguish between public and private areas, to control access, and to guide people coming to and going from the site.

**Historic preservation – Meets requirements**

- This site is neither historically designated nor is it located in a historic district and there are no existing structures.

**2. Conformance with all applicable regulations of the zoning ordinance.**

The proposed use is permitted in the ORI District.

**Off-street Parking and Loading – Meets requirements**

- The site is located within ¼ mile of a transit stop with midday service headways of fifteen minutes or less. There is a stop for Metro Transit Route 18 at the corner of Nicollet Avenue and 56<sup>th</sup> Street E with service every 15 minutes. As such, the use does not have a parking requirement. An identical building was previously approved without any parking. However, the applicant is now proposing three parking stalls in the rear yard of the property (see Table 4).
- The minimum bicycle parking requirement is one space for every two dwelling units, or three spaces in this instance. The applicant is provided three long-term bike parking spaces on the east side of the building (see Table 5).
- The use does not have a loading requirement.

**Table 4. Vehicle Parking Requirements Per Use (Chapter 54I)**

Use	Minimum	Reductions	Total with Reductions	Maximum Allowed	Proposed
Residential Dwellings	6	Transit Incentives (6)	0	--	3

**Table 5. Bicycle Parking Requirements (Chapter 541)**

Use	Minimum	Short-Term	Long-Term	Proposed
Residential Dwellings	3	--	Not less than 90%	3

**Building Bulk and Height – Choose an item.**

- The building height as measured from the existing grade at a point 10 feet in front of the building is exactly 35 feet to the midpoint of the roof (see Table 7).

**Table 6. Building Bulk and Height Requirements**

	Code Requirement	Proposed
Lot Area	--	5,050 square feet / 0.12 acres
Gross Floor Area	--	6,560 sq. ft.
Floor Area Ratio (Minimum)	--	1.5
Floor Area Ratio (Maximum)	1.5	
Building Height (Maximum)	2.5stories or 35 feet, whichever is less	2.5 stories/35 ft.

**Lot Requirements – Meets requirements**

- The applicant is proposing six dwelling units on a relatively small lot, equating to a density of 50 units per acre. This is considered medium density per the comprehensive plan and is appropriate on a community corridor (see Table 8).

**Table 7. Lot Requirements Summary**

	Code Requirement	Proposed
Dwelling Units (DU)	--	6 DUs
Density (DU/acre)	--	50 DU/acre
Lot Area (Minimum)	5,000 sq. ft.	5,050 sq. ft./841.6 sq. ft. per DU
Impervious Surface Area (Maximum)	85%	61.5%
Lot Coverage (Maximum)	70%	35.6%
Lot Width (Minimum)	40 ft.	40.07 ft.

**Yard Requirements – Meets requirements**

- As previously noted, the ORI district has a front yard setback requirement of 15 feet. The adjacent residential structure has an established setback of 22 feet, increasing the front yard setback requirement to that of the adjacent residential structure. The applicant is proposing a front yard setback of 15 feet, in compliance with the minimum requirement (see Table 9).
- The required interior side and rear yard setbacks are each 5+2x where “x” is equal to the number of stories above the first floor. For this 2.5 story structure, the setback requirement in these yards is 7 feet. The building will be setback a minimum of 7 feet from each interior side yard.
- Parking is a permitted encroachment in the rear 40 feet of the lot and no setback requirements apply.

**Table 8. Minimum Yard Requirements**

<b>Setback</b>	<b>Zoning District</b>	<b>Overriding Regulations</b>	<b>Total Requirement</b>	<b>Proposed</b>
<b>Front</b> (West)	15 ft.	22 feet (established)	22 ft.	22 ft.
<b>Interior Side</b> (North)	7 ft.	--	7 ft.	7 ft.
<b>Interior Side</b> (South)	7 ft.	--	7 ft.	7 ft.
<b>Rear</b> (East)	7 ft.	--	7 ft.	29.5 ft.

**Signs – Meets requirements with Conditions of Approval**

- All signs are subject to Chapter 543, On-Premise Signs. The applicant will be required to submit a separate sign permit application for any signage that is proposed. Residential structures with five or more units in the ORI district are allowed one non-illuminated, flat wall identification sign not exceeding 16 square feet in area and 14 feet in height. For this residential use, one wall sign identifying the name of the building is proposed on the east elevation, above the main entrance. Said sign is approximately 13 feet in height and 8 square feet in area. The plans indicate that the sign will have lights on a photo sensor. As a condition of approval, the sign shall not be illuminated.

**Screening of Mechanical Equipment – Meets requirements**

- All mechanical equipment is subject to the screening requirements of Chapter 535 and district requirements:

535.70. Screening of mechanical equipment.

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

b) Exceptions. The following mechanical equipment shall be exempt from the screening requirements of this section:

- 1) Minor equipment not exceeding one (1) foot in height.
- 2) Mechanical equipment accessory to a single or two-family dwelling.
- 3) Mechanical equipment located in an I2 or I3 District not less than three hundred (300) feet from a residence or office residence district.

- The majority of the mechanical equipment is enclosed within the building or is screened from the public street by the building itself. Air conditioning units are shown on the south side of the building. These units will be screened from the adjacent residential use with a 4-foot fence proposed along the property line.

**Refuse Screening – Meets requirements**

- All refuse and recycling storage containers are subject to the screening requirements in Chapter 535:

**535.80. Screening of refuse and recycling storage containers.**

Refuse, recycling storage, and compost containers shall be enclosed on all four (4) sides by screening compatible with the principal structure not less than two (2) feet higher than the refuse container or shall be otherwise effectively screened from the street, adjacent residential uses located in a residence or office residence district and adjacent permitted or conditional residential uses. Single and two-family dwellings and multiple-family dwellings of three (3) and four (4) units shall not be governed by this provision.

- The applicant is proposing a trash enclosure on the east side of the building. Said enclosure will be six feet in height and consist of solid cedar fencing. The trash containers will be screened on all four sides.

**Lighting – Meets requirements**

- Existing and proposed lighting must comply with Chapter 535 and Chapter 541 of the zoning code, including:

**535.590. Lighting.**

- a) In general. No use or structure shall be operated or occupied as to create light or glare in such an amount or to such a degree or intensity as to constitute a hazardous condition, or as to unreasonably interfere with the use and enjoyment of property by any person of normal sensitivities, or otherwise as to create a public nuisance.
- b) Specific standards. All uses shall comply with the following standards except as otherwise provided in this section:
  - 1) Lighting fixtures shall be effectively arranged so as not to directly or indirectly cause illumination or glare in excess of one-half (1/2) footcandle measured at the closest property line of any permitted or conditional residential use, and five (5) footcandles measured at the street curb line or nonresidential property line nearest the light source.
  - 2) Lighting fixtures shall not exceed two thousand (2,000) lumens (equivalent to a one hundred fifty (150) watt incandescent bulb) unless of a cutoff type that shields the light source from an observer at the closest property line of any permitted or conditional residential use.
  - 3) Lighting shall not create a sensation of brightness that is substantially greater than ambient lighting conditions as to cause annoyance, discomfort or decreased visual

performance or visibility to a person of normal sensitivities when viewed from any permitted or conditional residential use.

- 4) Lighting shall not create a hazard for vehicular or pedestrian traffic.
  - 5) Lighting of building facades or roofs shall be located, aimed and shielded so that light is directed only onto the facade or roof.
- There are two small fixtures proposed on the front elevation and one recessed light proposed within the open front porch. The rear elevation includes one flood light and lights under the porch roof.

**Fences – Meets requirements**

- Fences must comply with the requirements in Chapter 535. The applicant is proposing a cedar fence along the north and south property lines. Said fence extends from the front of the structure to the rear property line and is four feet in height. An existing 6-foot fence in the southeast corner of the property will be retained as it was constructed by the adjacent neighbor.

**Specific Development Standards – Not applicable**

**AP Overlay District Standards – Meets requirements**

- The proposal is in compliance with the AP, Airport Overlay District standards. The property is located just outside of the 2007 60-62 Countour area. The applicant is proposing central air conditioning for this new multi-family residential structure to assist with noise mitigation.

**3. Conformance with the applicable policies of The Minneapolis Plan for Sustainable Growth.**

*The Minneapolis Plan for Sustainable Growth* identifies the site as urban neighborhood on the future land use map. Nicollet Avenue is a community corridor in this location. The proposed development is consistent with the following principles and policies outlined in the comprehensive plan:

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

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

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

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

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

- 1.9.5 Encourage the development of low- to medium-density housing on Community Corridors to serve as a transition to surrounding low-density residential areas.
- 1.9.6 Promote more intensive residential development along Community Corridors near intersections with Neighborhood Commercial Nodes and other locations where it is compatible with existing character.

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

- 10.5.1 Smaller-scale, multi-family residential development is more appropriate along Community Corridors and Neighborhood Commercial Nodes.

**Urban Design Policy 10.7: Maintain and preserve the quality and unique character of the city's existing housing stock.**

- 10.7.2 Encourage the use of high quality and durable materials for construction and historic preservation.

**Urban Design Policy 10.8: Strengthen the character and desirability of the city's urban neighborhood residential areas while accommodating reinvestment through infill development.**

- 10.8.1 Infill development shall reflect the setbacks, orientation, pattern, materials, height and scale of surrounding dwellings.
- 10.8.2 Infill development shall incorporate the traditional layout of residential development that includes a standard front and side yard setbacks, open space in the back yard, and detached garage along the alley or at back of lot.
- 10.8.3 Building features of infill development, such as windows and doors, height of floors, and exposed basements, shall reflect the scale of surrounding dwellings.

The proposed project includes six dwelling units on a lot that is just over 5,000 square feet in area, equating to a density of 50 dwelling units per acre. This is considered medium density per the comprehensive plan. The site is located on a community corridor where medium density is appropriate. The building is generally consistent with the urban design policies above by providing infill development that reflects the setbacks, height and scale of surrounding buildings. CPED finds that the proposed development is in conformance with the above policies of The Minneapolis Plan for Sustainable Growth.

**4. Conformance with applicable development plans or objectives adopted by the City Council.**

The site is located within the boundaries of the *Nicollet Avenue: The Revitalization of Minneapolis' Main Street* small area plan, adopted by the City Council in 2000. This plan makes policy recommendations by block segments. While there are recommendations for the area of Nicollet Avenue between 56<sup>th</sup> Street E and 62<sup>nd</sup> Street E, nearly all of those recommendations focus on the area at 60<sup>th</sup> Street E and Nicollet Avenue. There are no specific recommendations that apply to this site.

**5. Alternative compliance.**

The Planning Commission or zoning administrator may approve alternatives to any site plan review requirement upon finding that the project meets one of three criteria required for alternative compliance. Alternative compliance is requested for the following requirements:

- **Pedestrian Access.** Chapter 530 requires that building entrances be connected to the public sidewalk with clear, well-lit walkways a minimum of four feet in width. The applicant is providing the required walkway, but the minimum width is proposed at three feet. Staff recommends granting alternative compliance for the narrower sidewalk given the scale of the proposed building, the narrow width of the lot and the character of the surrounding area.
- **Exterior Materials.** The applicant is requesting alternative compliance for the durability standards to allow LP Smart Side lap siding and LP Smart Side wood plan siding for 100 percent of the elevations. This is most akin to a wood material, which is limited to 75 percent of each elevation.

Staff recommends granting alternative compliance for this requirement. The proposed material is appropriate for the scale of the building and the character of the area and staff recommends granting alternative compliance.

- Parking and loading landscaping and screening. The applicant is requesting alternative compliance to reduce the width of the required landscaped yards between the parking lot and the alley, between the parking lot and the north property line and between the parking lot and the south property line. Alternative compliance is also requested for the minimum screening requirements in these locations.

Between the parking area and the alley a 7-foot landscaped yard is required with screening that is a minimum of three feet in height and 60 percent opaque. No landscaping is proposed in this location as the parking stalls will be accessed directly from the alley. Staff recommends granting alternative compliance based on the variance findings noted above and the limited number of parking stalls proposed in this location. Additionally, the residential uses on the east side of the alley have detached garages between the homes and the alley. The placement of these garages reduces the visual impact of the parking area on adjacent residential uses.

Between the parking area and the north property line a 7-foot landscaped yard is required with screening that is a minimum of three feet in height and 60 percent opaque. The applicant is proposing to locate the parking right up to the property line so that it essentially connects to the parking lot on the property to the north. Staff does not recommend granting alternative compliance for the required landscaping. As proposed, there would be no delineation between the commercial parking lot to the north and the residential parking spaces on the subject property. Additionally, this would result in approximately 69 feet of continuous parking area long an alley that primarily serves low-density residential uses. The required landscaped yard along the north property line would create a natural break between the two parking areas and create a buffer between the residential and commercial properties. The applicant has provided an alternative site plan that shows how the 7-foot landscaped yard could be accommodated without reducing the number of parking stalls. However, staff finds that the widest landscaped yard should be provided along the south property line, between the parking area and the adjacent residential structure. That would result in four feet of available landscaped yard along the north property line. As a condition of approval, staff recommends that a landscaped yard four feet in width be provided along the north property line. Said landscaped yard should include screening that is a minimum of three feet in height and 60 percent opaque.

Between the parking area and the south property line a 7-foot landscaped yard is required with screening that is a minimum of six feet in height and 60 percent opaque. A 4-foot landscaped yard is provided for a portion of the required area and then the trash enclosure is provided in the southeast corner of the parking area. A six-foot fence is provided for the length of the parking area, satisfying the minimum screening requirement. Staff does not recommend granting alternative compliance for the width of the landscaped yard. As noted above, staff is recommending four feet of landscaping along the north property line and seven feet of landscaping along the south property line.

## **ACTION**

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt staff findings for the applications by William Wells for the property located at 5605 Nicollet Avenue:

### **A. Variance.**

Recommended motion: **Approve** the application for a variance to reduce the minimum drive aisle width from 22 feet to 8.5 feet.

**B. Site Plan Review.**

Recommended motion: **Approve** the application for site plan review application for multi-family residential building with six dwelling units located at 5605 Nicollet Avenue, subject to the following conditions:

1. All site improvements shall be completed by March 16, 2018, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
2. CPED staff shall review and approve the final site, elevation, landscaping, and lighting plans before building permits may be issued.
3. The sign on the west elevation shall not be illuminated, in compliance with Section 543.200 of the zoning code.
4. A landscaped yard four feet in width with screening that is a minimum of three feet in height and 60 percent opaque shall be provided between the parking lot and the north property line, in accordance with Section 530.170 of the zoning code.
5. A landscaped yard a minimum of seven feet in width with screening a minimum of six feet in height and 95 percent opaque shall be provided along the south side of the parking lot, in compliance with Section 530.170 of the zoning code.

## ATTACHMENTS

1. Written description submitted by applicant
2. Zoning map
3. Plans
4. Building elevations
5. Renderings
6. Photos
7. Correspondence



June 13, 2016

Steve Poor, Direction of Zoning  
c/o Kimberly Holien  
250 South 4<sup>th</sup> Street, Room 300  
Minneapolis, MN 55415

Land Use Application  
Variance Request  
Public Hearing July 18<sup>th</sup>

Re: Site plan amendments to a 6 Unit Apartment Building under construction  
at 5605 Nicollet Ave South in Minneapolis.

Dear Mr. Steve Poor, Kimberly Holien, and Minneapolis Planning Commissioners:

We are pleased to submit the attached land use application and updated site plan for a 6 unit apartment building under construction at 5605 Nicollet Ave. **The Applicant requests a variance to reduce the minimum drive aisle width**, which will allow access to 3 on-site surface parking spaces. Please take a moment to review the attached site plans. The first site plan shows what is currently approved and under construction on site. The second site plan shows Zoning Staff's recommendation - centering 3 surface parking spaces behind the building, and the third site plan shows the Applicant's submission, which moves the parking area away from the single family house to the South, and creates an outdoor patio. The Architect would like to discuss both site plans with the planning commission.

**PROJECT HISTORY**

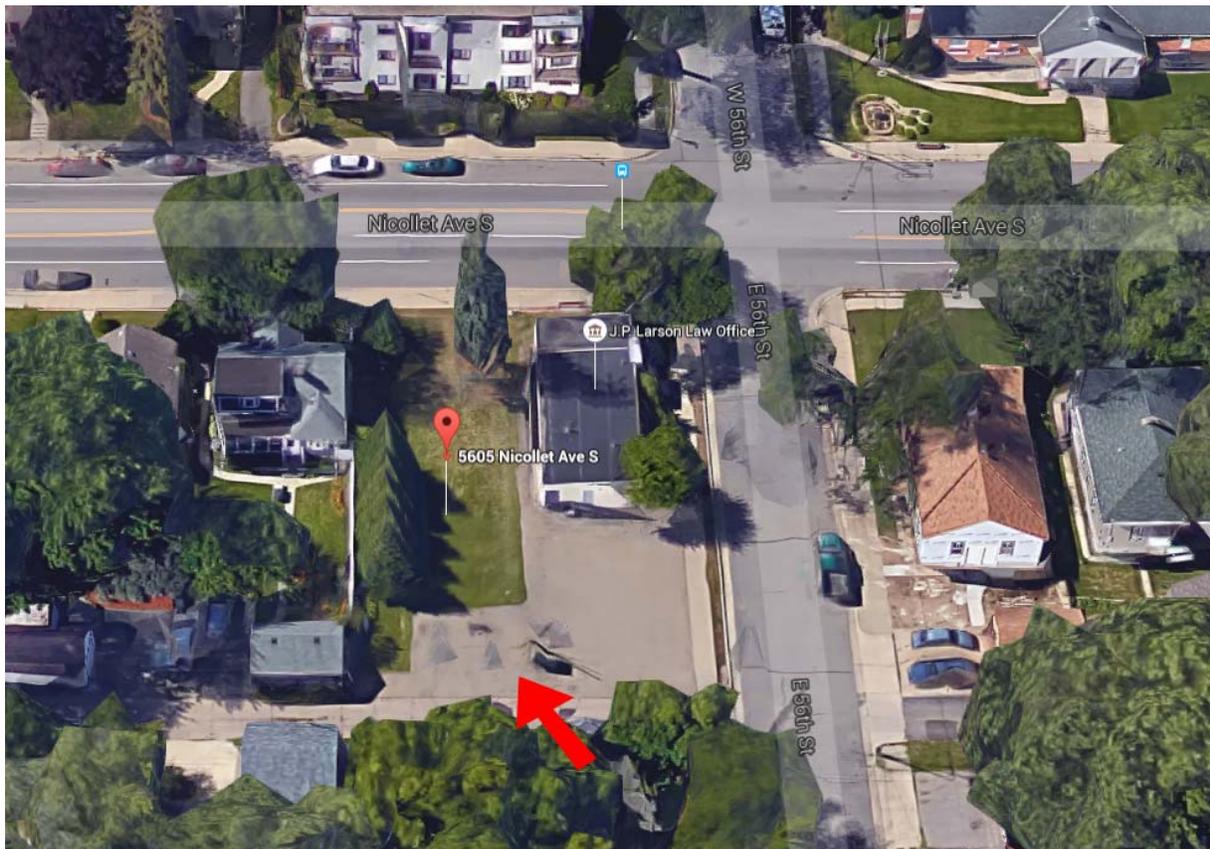
- June 1993 The existing single family house on site is demolished. Permit #23014
- Sept 2015 The Architect proposes a new 4 Unit (3) Bedroom housing development with 3 on-site parking spaces behind the building. The project is approved administratively with no variances. See BZZ-7394
- August 2015 Transit Reduction Ordinance passes City Council. Off-Street parking is now optional for the project, per Amendments to Chapter 541.
- March 2016 The Architect meets with Windom Community Council and Neighbors to discuss changes to the zoning code and discuss changes in financing and ownership. The project needs to have more affordable rents, and to achieve this, the unit mix needs to change. However, the overall density stays the same. The project is changed to a 6 (2) Bedrooms unit development with 12 Bedrooms on site – the same number of bedrooms as the previous plan. Additionally, amendments to Chapter 541 no longer requires the developer to provide parking. The developer decides to remove the parking, because it's not required.
- May 2016 The City of Minneapolis approves a new 6 (2) bedroom unit housing development on the site with no parking and no variances. Permits are issued.
- June 2016 Construction begins.
- June 2016 Neighbors demand parking be added to the project. Neighbors picket the construction site and send signed petitions to the Architect and City Staff demanding on-site parking be added to the project.
- July 2016 The architect requests a public hearing to amend the site plan. One variance is requested to allow access to the parking.

## ONE VARIANCE REQUEST

Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The lot is 40' wide X 126' long and vehicular access to the site can only be achieved from the alley. Additionally, there is not enough room on the site to add off street parking **and** a drive aisle for maneuvering. Therefore, to add off street parking behind the building, tenants would need to turn from the alley into the parking spaces. While turning and maneuvering is allowed in the alley behind all 1 to 4 Unit Housing Developments, it is not currently allowed behind 6 unit housing developments. Chapter 541 of the Minneapolis Zoning Code States:

**541.290. - Maneuvering area.** All maneuvering associated with parking shall occur in the off-street parking area, except where accessory to single or two-family dwellings, or cluster developments or multiple-family dwellings of three (3) or four (4) units. Public streets shall not be used to conduct any parking maneuver, including backing out onto the street.

If the planning Commission approves limited maneuvering and turning in the alley, the variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties. As the aerial photo shows, the area is already paved and used for parking.



Google Aerial Photo of the Site. 2016

The area behind the building, next to the alley, is currently paved and already being used as an over-flow parking lot for the adjacent commercial law office.

The variance requested is consistent with the intent of OR1 – Neighborhood Office Residential District, and will be used in a reasonable manner, and will be in keeping with the spirit and intent of the ordinance and the comprehensive plan. The variance is will not alter the essential character of the locality or be injurious to the use or enjoyment of other properties in the vicinity. The variance requested is not based on economic considerations.

### **REASON FOR THE VARIANCE**

Under the Minneapolis Zoning Code, a 6 (2) Bedroom housing project on Nicollet Ave, next to a bus stop, does NOT require off street parking. Therefore, there is no requirement for the Applicant to provide parking. However, the Applicant received a signed petition from 86 neighbors demanding off street parking be added to the project. On June 1, 2016 approximately 30 neighbors picketed the construction site and demanded the Applicant provide off street parking. The photos below show the neighbor's concerns:





Site Photo by Wells & Company Architects. June 1, 2016

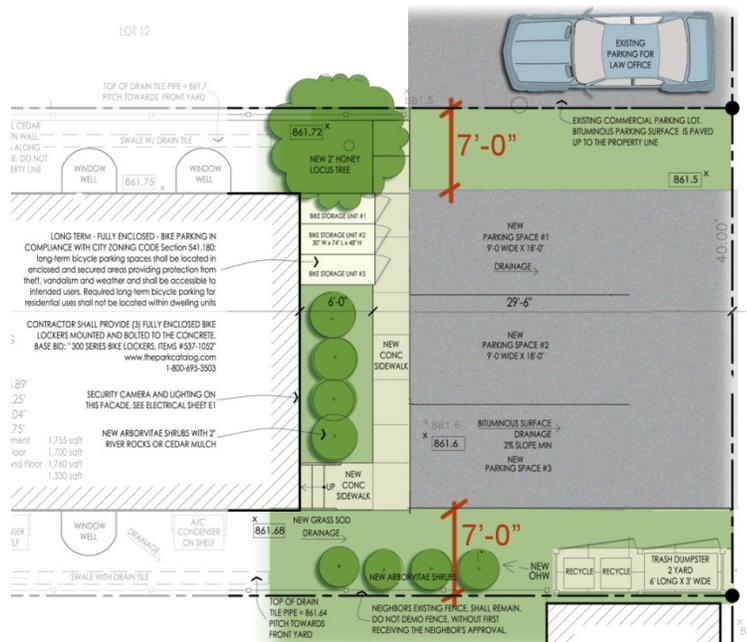
Neighbors protest and picket the site, demanding off street parking be added to the project.

To address the neighbor's concerns, the Applicant decided to amend the site plan and apply for a variance to reduce the minimum drive aisle width, which would allow limited turning and maneuvering in the alley, and access to the parking. **The variance will allow access to 3 surface parking spaces behind the building.** The variance will allow limited maneuvering in the alley and access to the parking from the alley, such that a person can back up or turn from the alley into a parking space.

Please see the attached diagrams on the next page.

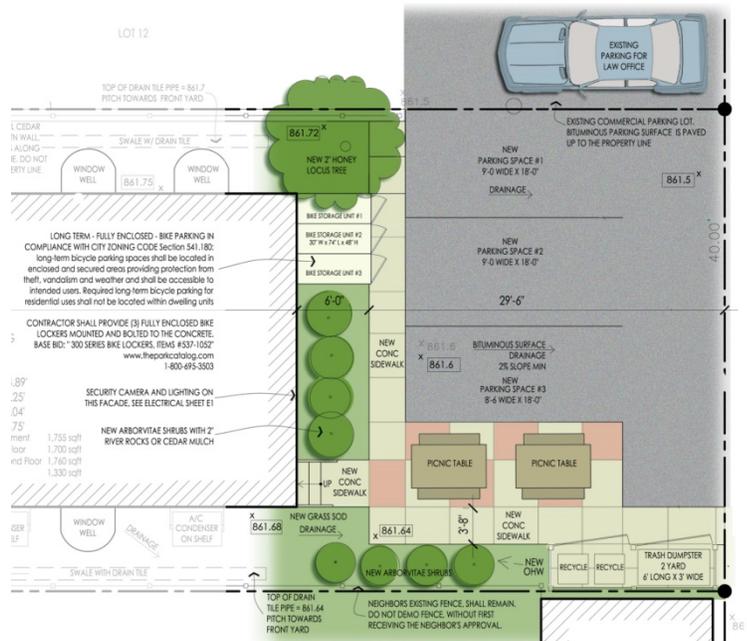
## DESIGN DISCUSSION:

Zoning Staff recommends that a 7' landscape buffer be added on either side on the surface parking lot. The Architect believes the best possible design solution, is to move the parking area as far NORTH as possible, on the site, to mitigate the impact of parking on the existing single family house to the South.



## Zoning Staff Recommendation

Center the parking and providing a 7'-0" landscape buffer on either side. This has design and maintenance problems. It wastes valuable urban space and does not provide a tenant recreation area.



## The Applicant's Submission

The Applicant recommends moving all parking to the north and connecting with the existing commercial surface parking lot. This site plan provides a larger tenant recreation area and moves the parking further away from the existing single family house to the South.



Current site photo of 5605 Nicollet Ave. The site is currently under construction. June 2016.

Thank you for taking the time to review our application. Please do not hesitate to contact me if you have any questions.

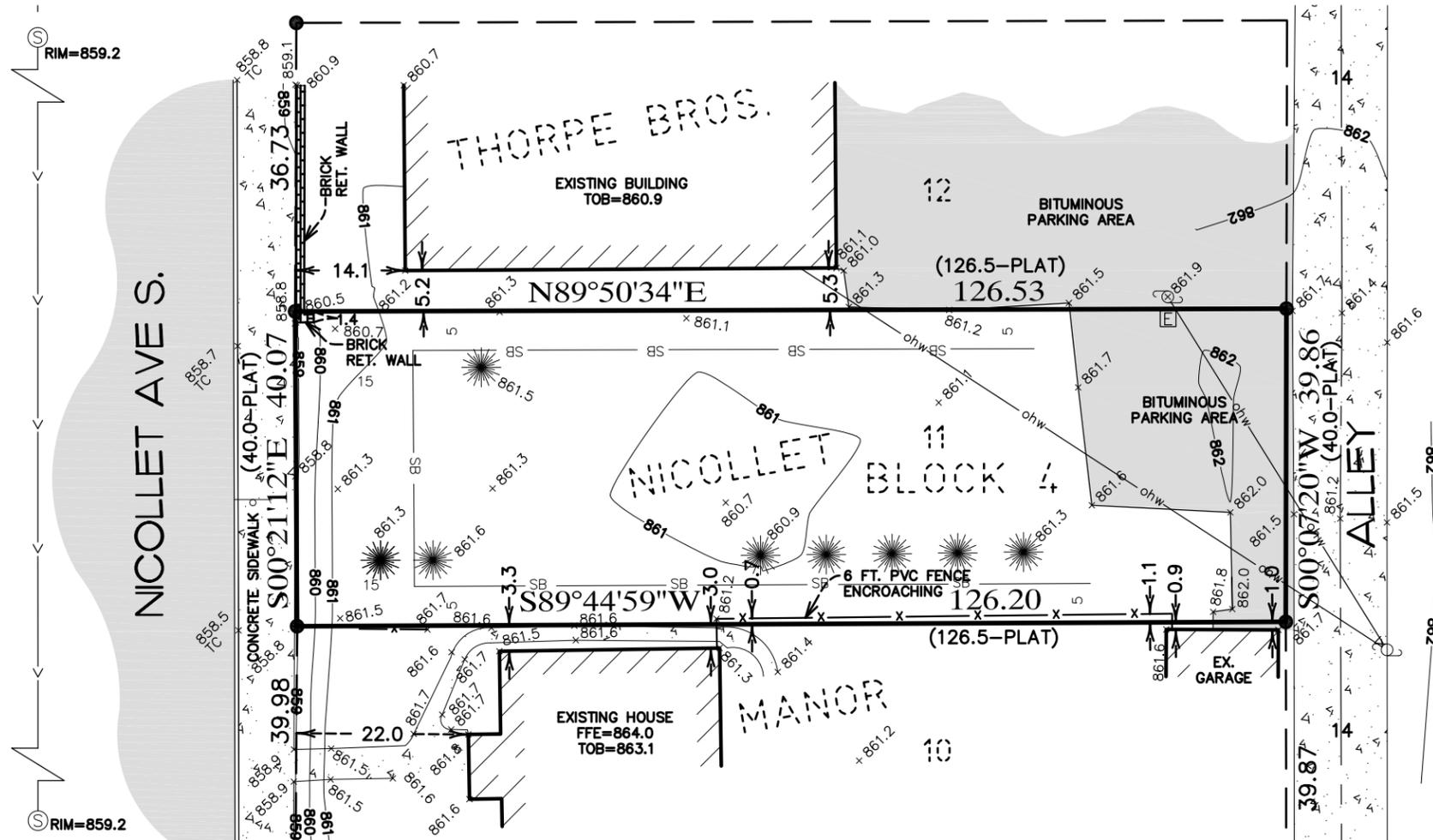
William Wells, Project Architect  
Wells & Company, Inc  
PO BOX 8589  
Minneapolis, MN 55408  
[wellsandcompany@yahoo.com](mailto:wellsandcompany@yahoo.com)  
612-669-2052



# CERTIFICATE OF SURVEY

PROPERTY ADDRESS: 5605 NICOLLET AVE S. MINNEAPOLIS, MN 55419

~for~  
JEREMY RUPP



### LEGEND

- DENOTES IRON MONUMENT FOUND
- DENOTES IRON MONUMENT SET
- ⊥ DENOTES SIGN
- ⊕ DENOTES UTILITY POLE
- ⊠ DENOTES ELECTRIC METER
- ⊙ DENOTES SANITARY SEWER MANHOLE
- 999 DENOTES EXISTING CONTOUR
- ☼ DENOTES CONIFEROUS TREE
- x1011.2 DENOTES EXISTING ELEVATION.
- x — DENOTES EXISTING FENCE
- ohw — DENOTES OVERHEAD WIRE
- SB — DENOTES BUILDING SETBACK LINE
- ▨ DENOTES CONCRETE
- ▩ DENOTES BITUMINOUS

### NOTES

- Field survey conducted on June 16th, 2015.
- BEARING'S SHOWN ARE ON ASSUMED DATUM.
- CONTRACTOR TO VERIFY HOUSE DIMENSIONS, AND SEWER AND BASEMENT DEPTHS.
- This survey was prepared without the benefit of titlework. Easement, appurtenances and encumbrances may exist in addition to those shown hereon. This survey is subject to revision upon receipt of a title insurance commitment or attorneys title opinion.
- Curb shots taken at top and back of curb.
- CITY TO VERIFY ALL BUILDINGS ELEVATIONS AND SETBACKS.
- property is zoned as OR-1 (office residence district) according to the City of Minneapolis website

### LEGAL DESCRIPTION

Lot 11, Block 4, THORPE BROS NICOLLET MANOR, Hennepin County, Minnesota

*I hereby certify that this plan, survey or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.*

*Eric R. Vickaryous*  
ERIC R. VICKARYOUS

Date: 6/18/15 Reg. No. 44125

JOB #15285BS

**ACRE LAND SURVEYING**  
Serving Twin Cities Metro  
area and beyond  
763-458-2997 acrelandsurvey@gmail.com

**GENERAL SITE PLAN NOTES:**

- See civil sheets C1 for erosion control plan and construction entrance.
- Call the surveyor of record and have the proposed building staked before excavation.
- Parkland Dedication Fee must be paid at the time the contract picks up the permit. Minneapolis Ordinance 598.340
- Contact Tom Frame 612-673-5807 to schedule an inspection need with Environmental Services to identify and register equipment and processes that impact the environment.
- The lighting plan must comply with Section 535.590 of the Minneapolis Zoning Code.
- The lighting fixtures shall not exceed two thousand (2,000) lumens equivalent to a one hundred fifty (150) watt incandescent bulb unless a cutoff type that shields the light source from an observer at the closest property line of any permitted or conditional residential use. The lighting fixtures shall be effectively arranged as not to directly or indirectly cause illumination or glare in excess of one-half (1/2) footcandle for residential use, & five (5) footcandles measured at the street, curb or nonresidential property line nearest the light source.
- Street lighting installed as part of the Project shall be inspected by the City. Contractors shall arrange for inspections with the Traffic Department, please contact Dave Prehall at (612) 673-5759 for further information. Any lighting installations not meeting City specifications will be required to be reinstalled at Owner expense.
- All snow shall be removed from the driveway. There is no long term snow storage.

**LANDSCAPE DESIGN AND INSTALLATION NOTES:**

- The landscape contractor and all subcontractors shall inspect the site and become familiar with the existing conditions relating to the nature and scope of the work, before providing a bid on the project.
- The landscape contractor shall verify plant layout, drainage, and dimensions on site and bring any discrepancies to the attention of the architect. The landscape contractor shall not change plant types without architect or Owner's written permission. The landscape contractor shall install all new plants and trees after all grading and construction has been completed and provide a one year warranty.
- The landscape contractor shall sod all existing grass areas disturbed due to grading and construction. Where sod abuts paved surfaces, the finished grade or sod shall be held to 1" below the surface elevation of the paved area. The sod shall be laid parallel to the contours and shall have staggered joints.
- The landscape contractor shall assure compliance with all applicable codes and regulations governing the work and materials supplied and all plant materials installed comply with the latest edition of the American Standards for Nursery Stock, ANSI Z60.1 unless noted otherwise.
- The landscape contractor shall ensure all planting areas receiving ground cover, perennials, or annuals shall receive a minimum of 18" depth of planting soil consisting of at least 45 parts topsoil, 45 parts screened compost or manure and 10 parts sand.
- The landscape contractor shall provide min 4" deep shredded hardwood mulch in all shrub and plant beds as shown on plans, provide a fiber mat weed barrier. See L2 for details.

**RIGHT OF WAY NOTES:**

- Temporary and permanent related encroachments in the public right of way requires a permit, contact Robert Boblett at 612-673-2428 for more information.
- Snow storage is not permitted in the public right of way.
- Contact Craig Pinkalla at 612-499-9233 cpinkalla@minneapolis.org regarding any questions related to planting, removal, or the process for protecting trees during construction in the City Right of Way.
- An obstruction permit is required anytime construction work is performed in the Public right-of-way. Please contact Scott Kramer at 612-673-2383 regarding details of sidewalk & lane closures. Log on to http://minneapolis.mn.roway.net/ for a permit.
- Contact Allan Klugman at (612) 673-2743 prior to construction for the temporary removal/temporary relocation of any City of Minneapolis signal system that may be in the way of construction.
- All costs for relocation and/or repair of City Traffic facilities shall be borne by the Contractor and/or Property Owner.
- Contact Doug Maday at (612) 673-5755 prior to construction for the removal of any City of Minneapolis right of way signs that may be in the way of construction.

**WATER AND SEWER (UTILITY DESIGN) NOTES:**

- Provide 4" Combined fire and domestic water line service with water shut off valve.
- The meters shall be located in the mechanical rooms.
- SEE SHEET T4 SHOWING THE NEW WATER LINE AND FIRE SPRINKLER CONNECTION DIAGRAM
- New 6" San Sewer service to enter proposed structure within 27' building lines as per the City of Minneapolis sewer requirements. Before digging the contractor shall call public sanitary and storm sewer records at 612-673-2865 and the Utility water and sewer department at 612-673-2451
- Connection of a 6" sanitary sewer service to a 9" clay main requires cutting in a clay wye, installation of couplings with shear rings, and concrete collars.
- The existing sanitary sewer service line will be removed.
- For comments or questions on Public Works Surface Water & Sewers Division related requirements please contact Jeremy Strehlo, (Professional Engineer) at (612) 673-3973, or jeremy.strehlo@minneapolismn.gov.
- There is no non-storm water discharge proposed.

**CONSTRUCTION CODE SERVICES / BUILDING CODES**

- During excavation for the new foundation, the slopes to the bottom of the excavation can not exceed 1:1 and the contractor must provide a fence around the site at all times to prevent unauthorized access. See structural sheets for shoring specifications.
- A Service Availability Charge (SAC) determination letter from the Met Council must be submitted with the building permit application.
- See floor plans for individual unit addressing. Post signage in the front and in the rear on the building to be readily identified in case of fire or other emergency.

**EXISTING AREA CALCULATION**

Lot Area = 5,060 SF  
**PROPERTY DESCRIPTION**  
 LOT 11, BLOCK 4, THORPE BROS NICOLLET MANOR, HENNEPIN COUNTY, MINNESOTA

**LANDSCAPING SCHEDULE**  
 TOTAL SITE 5,060 sqft  
 TOTAL IMPERVIOUS SURFACE 3,110 sqft  
 TOTAL LANDSCAPED AREA 1,950 sqft  
 (3) NEW HONEY LOCUS TREES,  
 (12) ARBORVITAE SHRUBS,  
 (1) CHICAGO BOXLAND SHRUBS

**ENVIRONMENTAL HEALTH**

- If impacted soil is encountered during site activities work will need to stop and notification provided to the MN State Duty officer at (615) 649-5451.
- If a continuously operating permanent dewatering system is needed it must be approved as part of the sanitary sewer and storm drain site plan approval prior to construction beginning.
- No construction, demolition or commercial power maintenance equipment shall be operated within the city between the hours of 6:00 p.m. and 7:00 a.m. on weekdays or during any hours on Saturdays, Sundays and state and federal holidays, except under permit. Contact Environmental Services at 612-673-3867 for permit information.
- Permits and approval are required from Environmental Services for the following activities: Temporary storage of impacted soils on site prior to disposal or reuse; Reuse of impacted soils on site; Dewatering and discharge of accumulated storm water or ground water, underground or aboveground tank installation or removal, well construction or sealing. Contact Tom Frame at 612-673-5807 for permit applications and approvals.
- A review of the project, permits issued and an inspection from Environmental Service for identification of equipment and site operations that require annual registration with the City of Minneapolis will occur for this project.

**STREETS, SIDEWALKS, TRAFFIC AND PARKING NOTES:**

- All driveway aprons, curbs, and gutters must be designed and constructed to City standards. See civil sheet C0
- A sidewalk construction permit must be obtained before the start of any work in the public right of way. The contractor must replace any concrete infrastructure in the City right of Way that is damaged during construction. A \$15,000 Sidewalk Contractor's Bond must be obtained from Public Works Sidewalk Inspections prior to the start of any work in the public right-of-way.
- An obstruction permit is required before any work is performed in the public right of way. Contact Scott Kramer at 612-673-2383 for sidewalk and lane closures.

**FENCE HEIGHT AND DESIGN REQUIREMENTS - CITY OF MINNEAPOLIS**

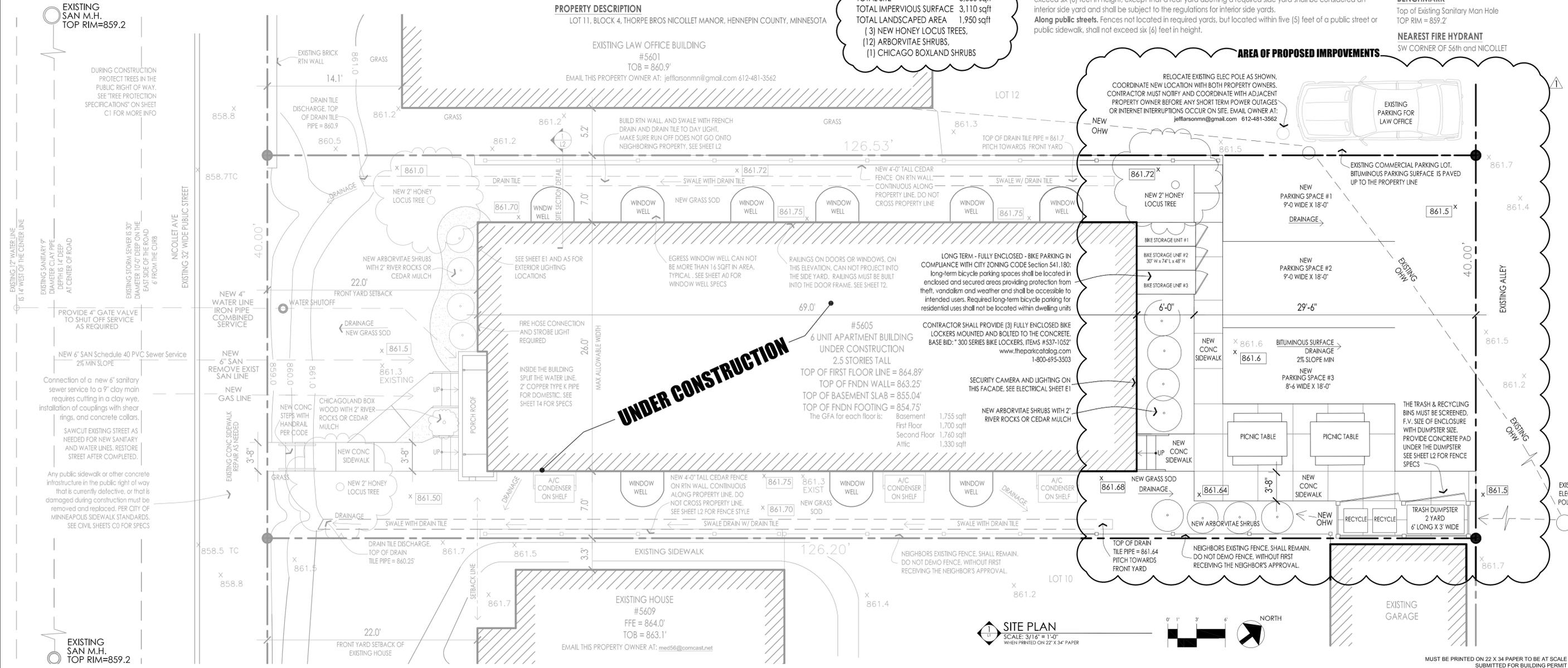
535.420. - Fence height.  
**Front yard.** Fences located in the required front yard shall not exceed three (3) feet in height. The maximum fence height may be increased by one (1) foot if constructed of open, decorative, ornamental fencing materials that are less than sixty (60) percent opaque.  
**Interior side yard.** Fences located in the required interior side yard shall not exceed four (4) feet in height. The maximum height may be increased to six (6) feet if the adjoining property has maintained a minimum interior side yard of five (5) feet along the entire length of the side wall of the principal structure. In addition, the maximum height may be increased to six (6) feet between the rear wall of the principal structure on the adjoining property and the rear lot line.  
**Rear yard.** Fences located in the required rear or side yard and extending along the rear lot line shall not exceed six (6) feet in height, except that a rear yard abutting a required side yard shall be considered an interior side yard and shall be subject to the regulations for interior side yards.  
**Along public streets.** Fences not located in required yards, but located within five (5) feet of a public street or public sidewalk, shall not exceed six (6) feet in height.

**KEY**

- A/C AIR CONDITIONING UNIT
- EXISTING SPOT ELEVATION
- NEW PROPOSED SPOT ELEVATION
- NEW WOOD FENCE
- PROPERTY LINE

**BENCHMARK**  
 Top of Existing Sanitary Man Hole  
 TOP RIM = 859.2'

**NEAREST FIRE HYDRANT**  
 SW CORNER OF 56th and NICOLLET



**GRANITE HEARTH PROPERTIES**  
 granithearth@gmail.com

**WELLS & COMPANY ARCHITECTS**  
 612-660-2052  
 PO BOX 8589  
 Minneapolis, MN 55408  
 www.WellsandCompanyArchitects.com

**PROJECT TITLE:**  
 NEW 6 UNIT APARTMENT BUILDING AT:  
 5605 Nicollet Ave  
 Minneapolis, MN

**SHEET TITLE:**  
 SITE PLAN

**RE-SUBMITTED FOR PUBLIC HEARING**  
 JULY 18, 2016  
 CITY PLANNING COMMISSION

**PROJECT #:** 02-2016  
**DRAWN BY:** WELLS  
**CHECKED BY:** WELLS  
**ISSUE:** DATE:  
**Zoning approval** 3-16-16  
**Permit plans submitted** 3-28  
**Plans re-submitted** 4-26  
 CFC PUBLIC HEARING  
 JULY 18, 2016  
 SITE PLAN AMENDMENTS

I hereby certify that this plan specification or report was prepared by me or under my direct supervision and that I am a duly registered architect under the law of the state of Minnesota  
 signed: *William M. Wells*, Architect  
 date: 3-25-2016 reg. no. 49615

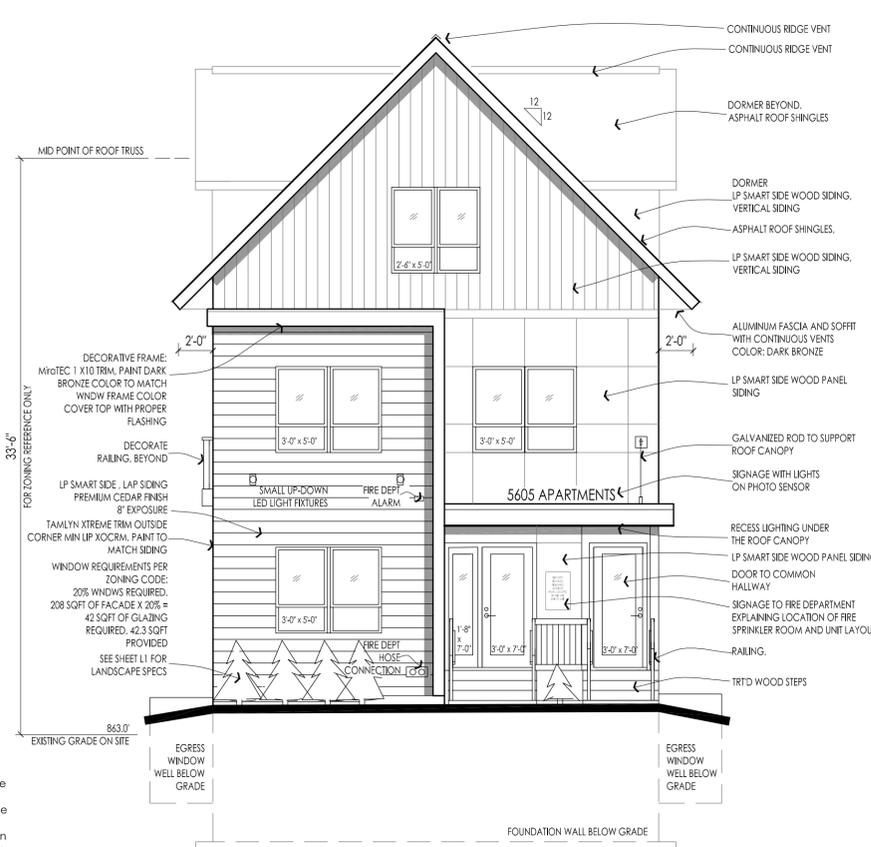
**SHEET NO:**  
 L1

**SITE PLAN**  
 SCALE: 3/16" = 1'-0"  
 WHEN PRINTED ON 22" X 34" PAPER

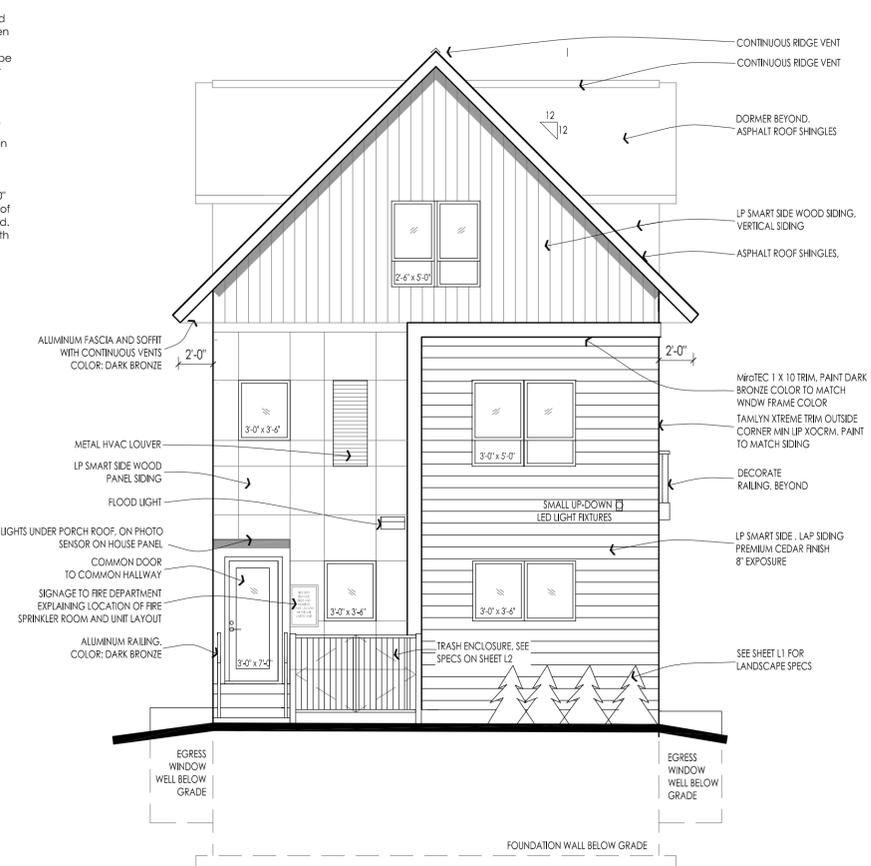
1" = 3' 0"

NORTH

MUST BE PRINTED ON 22 X 34 PAPER TO BE AT SCALE SUBMITTED FOR BUILDING PERMIT



**1 FRONT ELEVATION (WEST)**  
SCALE: 3/16" = 1'-0"



**3 REAR ELEVATION (EAST)**  
SCALE: 3/16" = 1'-0"



**2 SIDE ELEVATION (SOUTH)**  
SCALE: 3/16" = 1'-0"



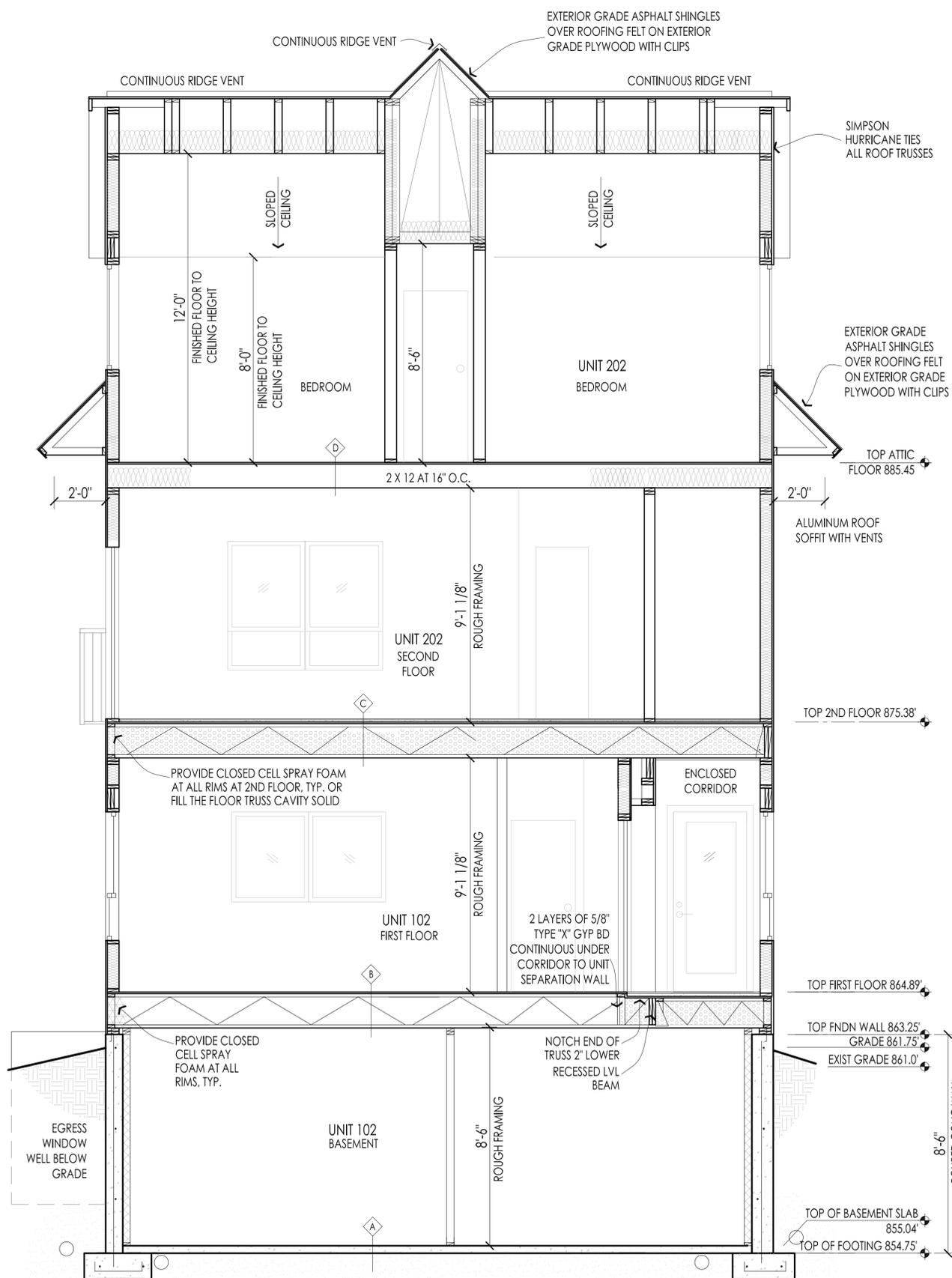
**4 SIDE ELEVATION (NORTH)**  
SCALE: 3/16" = 1'-0"

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

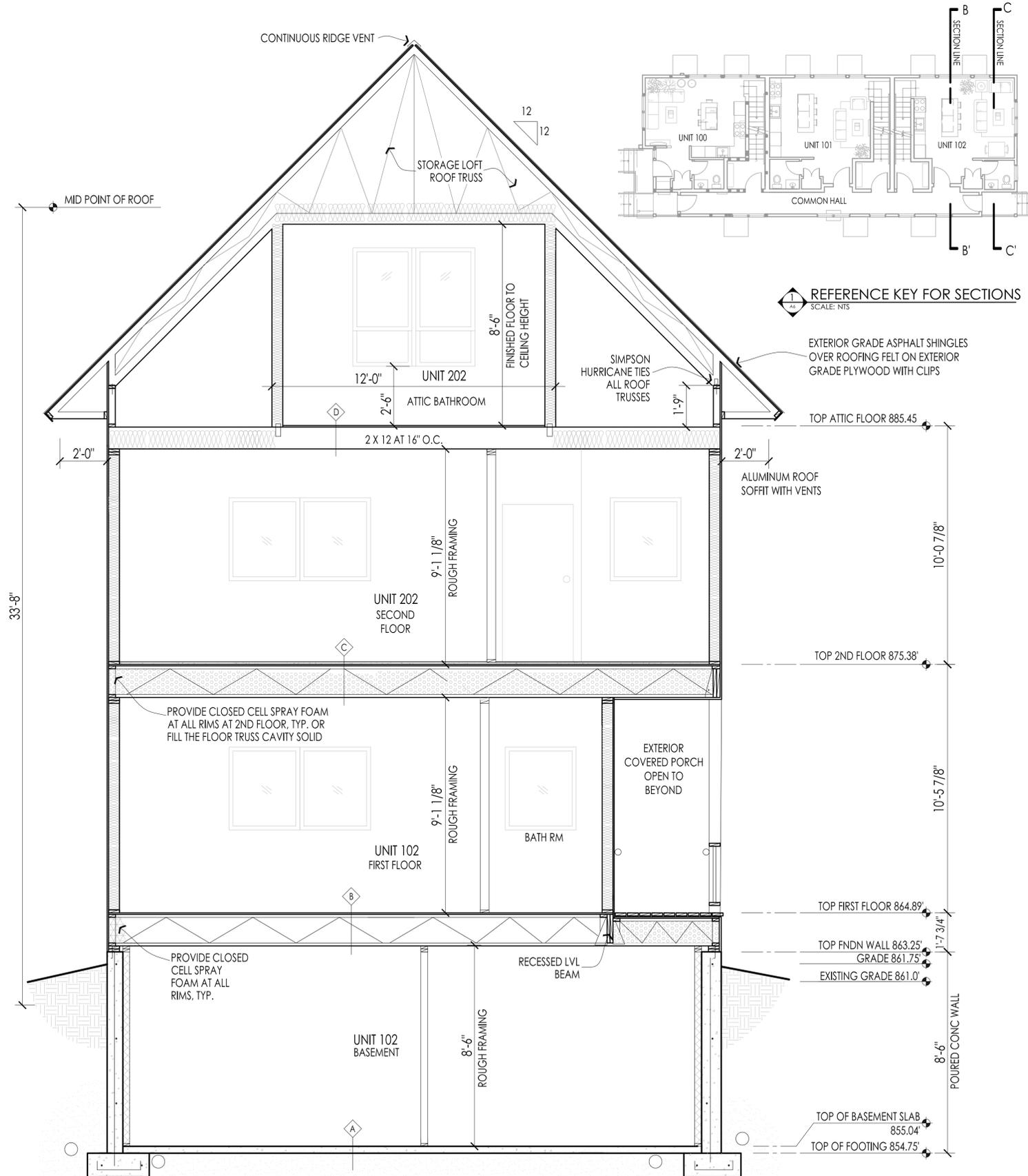
Windows shall be vertical in proportion. Windows shall be distributed in a more or less even manner.

Minimum window area at the first floor or ground level shall be measured between two (2) and ten (10) feet above the adjacent grade. Minimum window area on walls above the first floor shall be measured between the upper surface of a floor and the upper surface of the floor above.

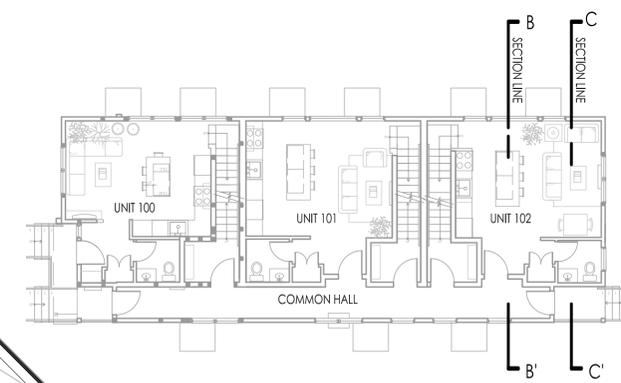
**FIRE DEPARTMENT HOSE CONNECTION REQUIRED**  
(2) 2 1/2" DIAMETER HOSE CONNECTIONS. Fire department connections shall be located on the street side of buildings, fully visible, and recognizable, from the street side of buildings, nearest access. Connection Height shall be located not less than 18" and not more than 4'-0" above the level of grade. Clear working space of not less than 36" around the connection required. Per IBC 912.4 Signage Required. A metal sign with raised letters at least 1" in size shall be mounted on all fire department connections serving automatic sprinklers, standpipes, or fire pump connections. Such signage shall read "AUTOMATIC SPRINKLERS or STANDPIPES or TEST CONNECTIONS"



**BUILDING SECTION B -- B'**  
SCALE: 3/8" = 1'-0"



**BUILDING SECTION C -- C'**  
SCALE: 3/8" = 1'-0"



**REFERENCE KEY FOR SECTIONS**  
SCALE: NTS

**GRANITE HEARTH PROPERTIES**  
granitehearth@gmail.com

**WELLS & COMPANY ARCHITECTS**  
612-669-2052  
PO BOX 8589  
Minneapolis, MN 55408  
www.WellsandCompanyArchitects.com

PROJECT TITLE:  
NEW 6 UNIT APARTMENT BUILDING AT:  
5605 Nicollet Ave  
Minneapolis, MN

SHEET TITLE:  
SECTIONS  
BUILDING SECTIONS  
B-B'  
C-C'

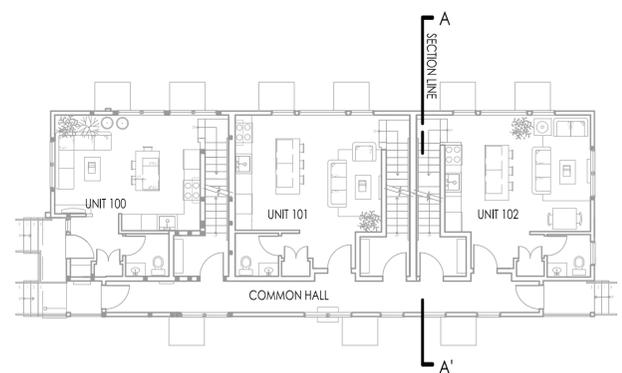
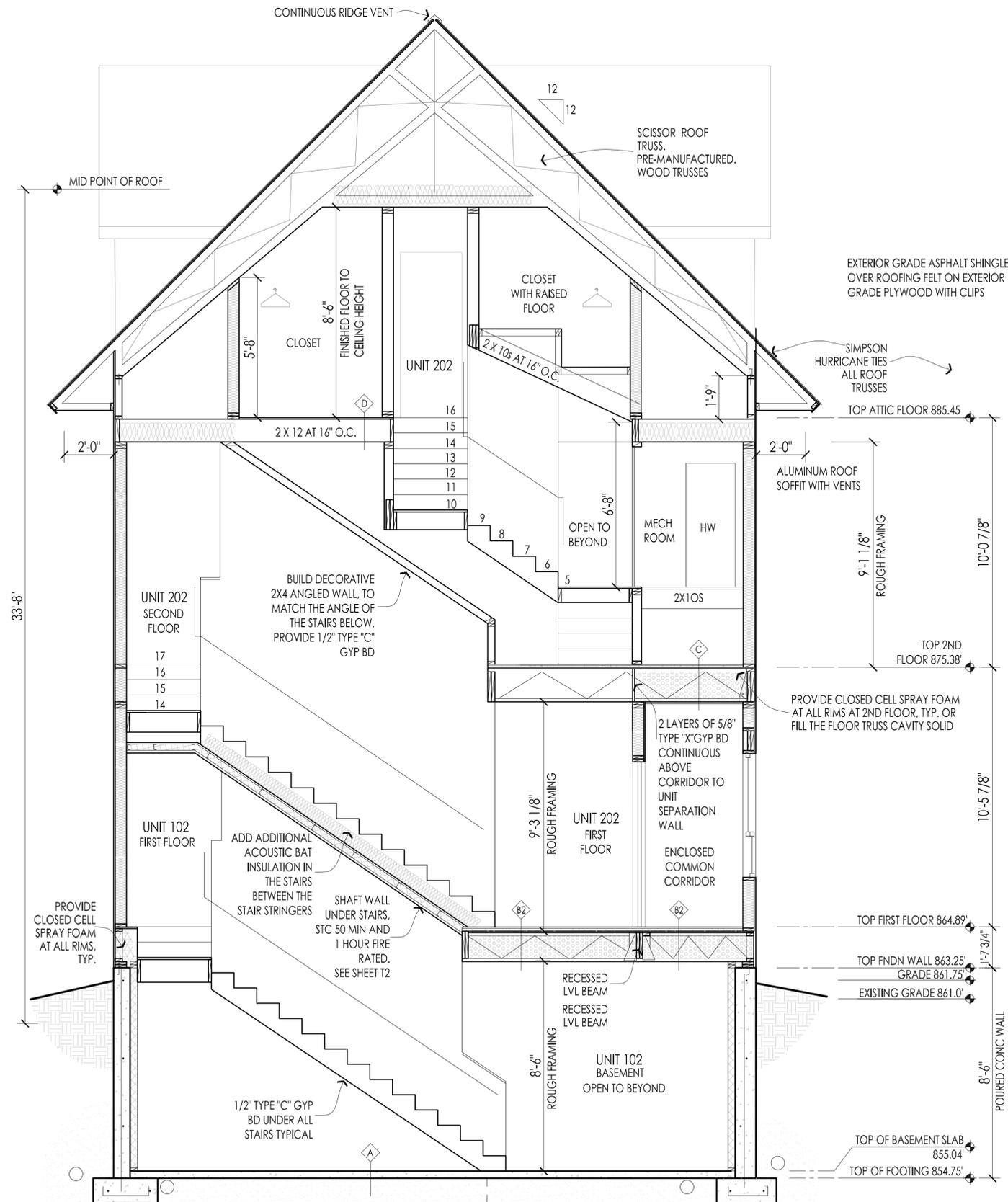
PDR RESUBMISSION AND ZONING APPROVAL  
2-25-2016

PROJECT #: 02-2016  
DRAWN BY: WELLS  
CHECKED BY: WELLS  
ISSUE: DATE:

I hereby certify that this plan specification or report was prepared by me or under my direct supervision and that I am a duly registered architect under the law of the state of: Minnesota  
signed: William M. Wells, Architect  
date: reg. no. 49815

SHEET NO:

**A6**



REFERENCE KEY FOR SECTIONS  
SCALE: NTS

BUILDING SECTION A - A'  
SCALE: 3/8" = 1'-0"

GRANITE HEARTH  
PROPERTIES  
granitehearth@gmail.com

WELLS & COMPANY  
ARCHITECTS  
612-669-2052  
PO BOX 8589  
Minneapolis, MN 55408  
www.WellsandCompanyArchitects.com

PROJECT TITLE:  
NEW 6 UNIT  
APARTMENT  
BUILDING AT:  
5605 Nicollet Ave  
Minneapolis, MN

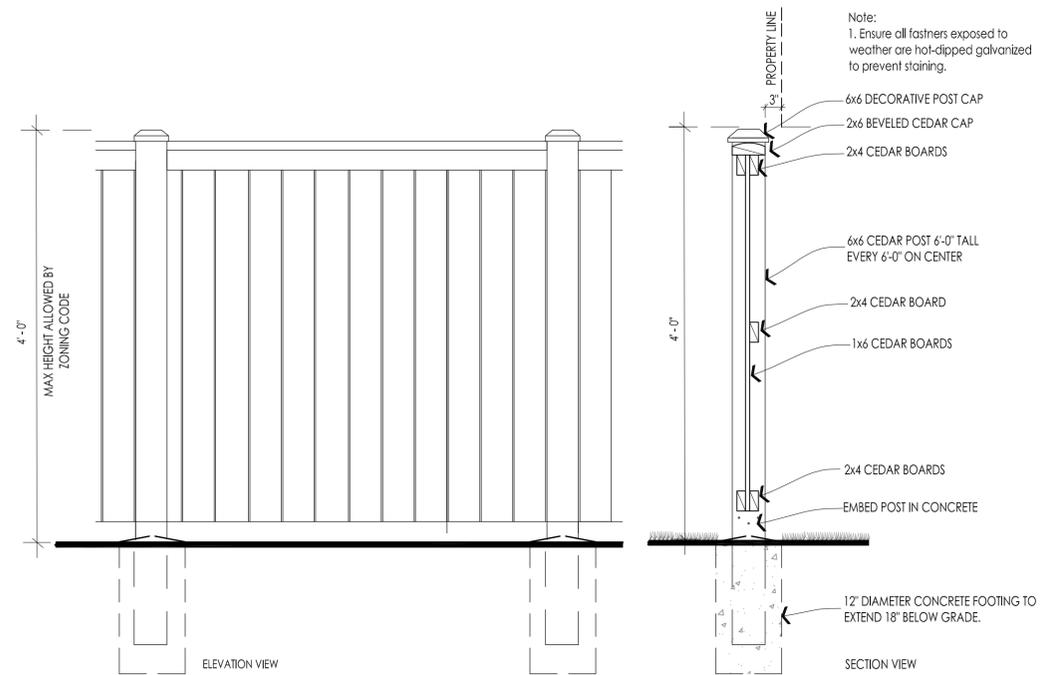
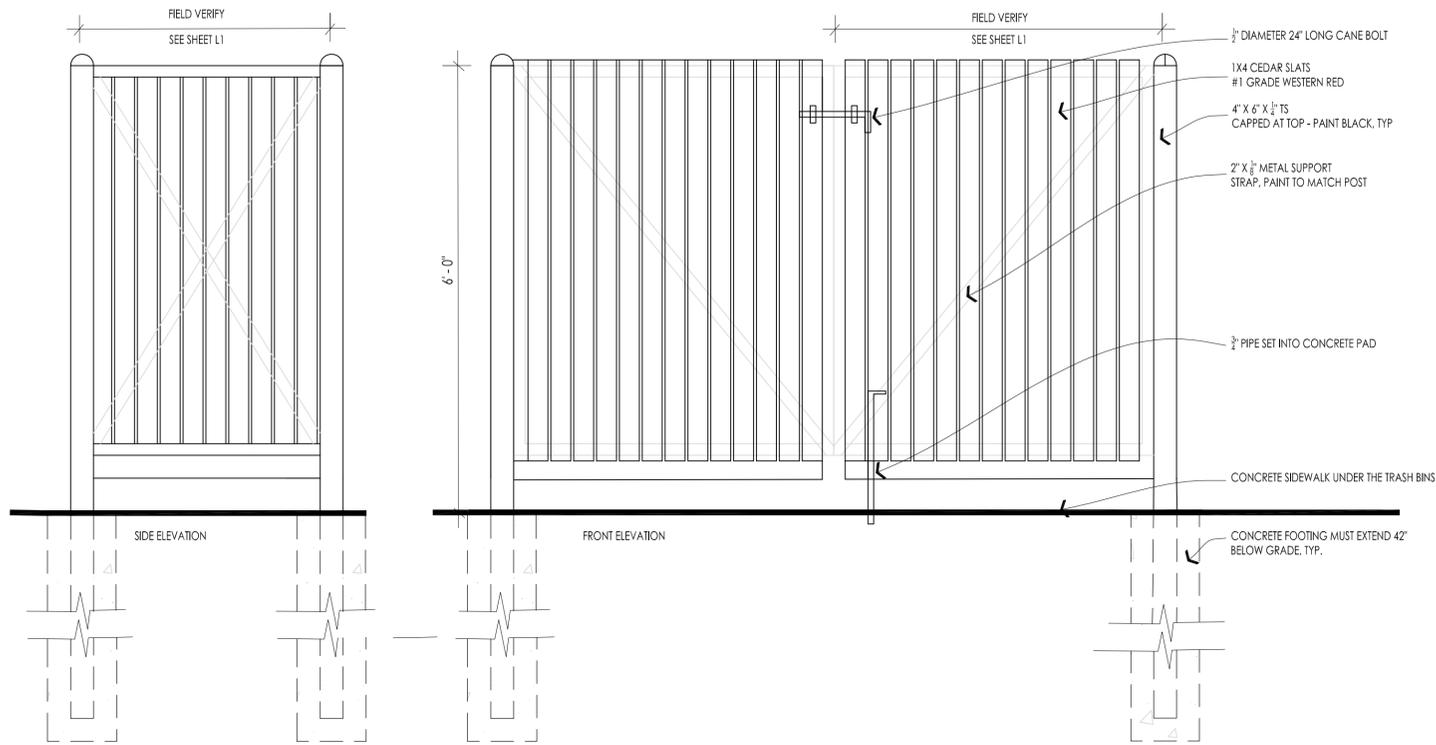
SHEET TITLE:  
SECTION A - A'

PDR RESUBMISSION  
AND ZONING APPROVAL  
2-25-2016

PROJECT #: 02-2016  
DRAWN BY: WELLS  
CHECKED BY: WELLS  
ISSUE: DATE:

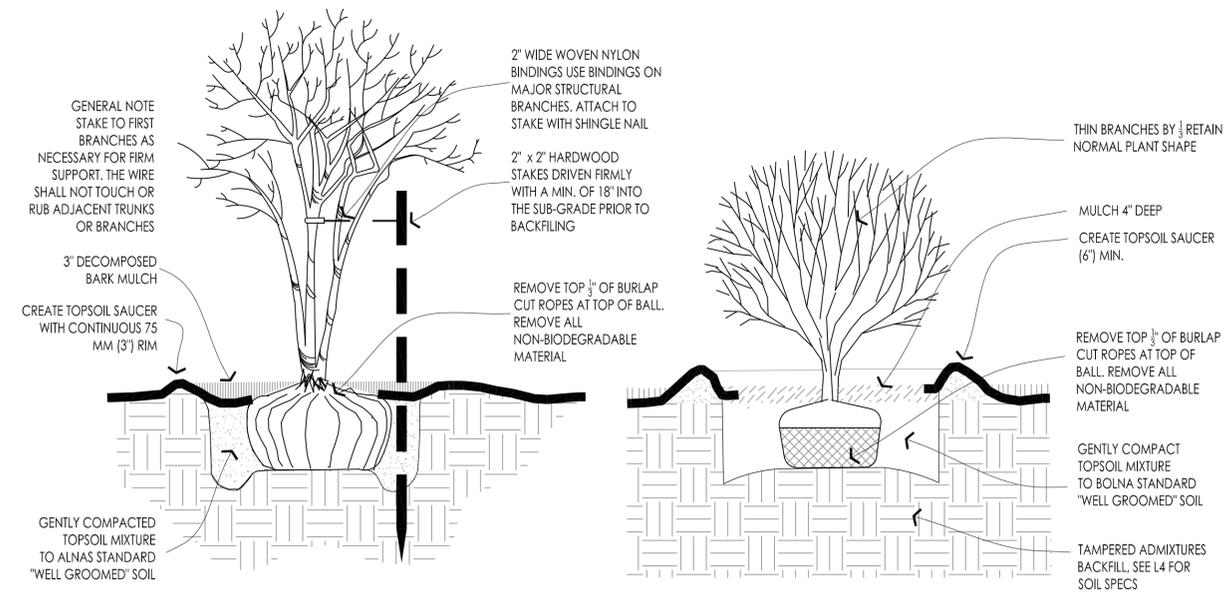
I hereby certify that this plan  
specification or report was prepared  
by me or under my direct supervision  
and that I am a duly registered  
architect under the law of  
the state of: Minnesota  
signed: William M. Wells, Architect  
date: reg. no. 49815

SHEET NO:  
A7

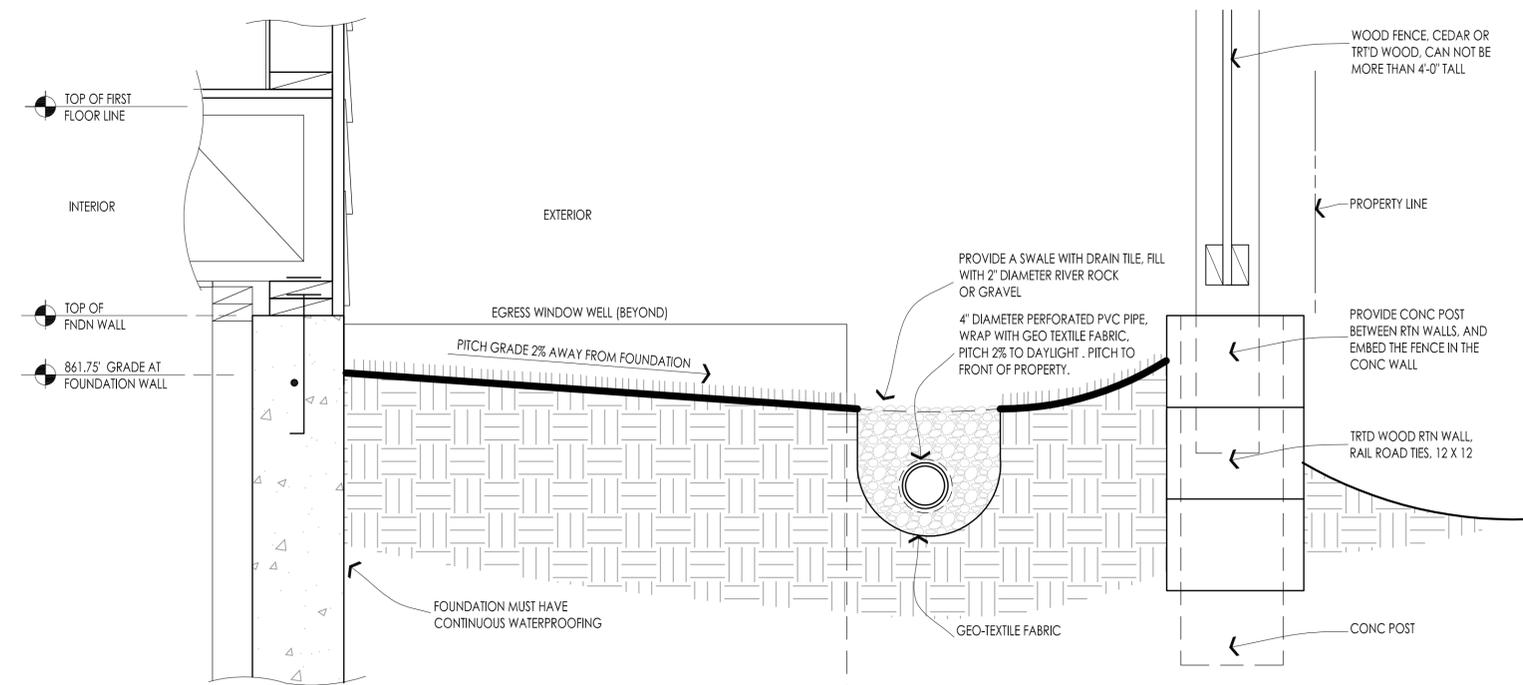


**FENCE ELEVATION AND DETAIL**  
SCALE: NTS

**TRASH ENCLOSURE**  
SCALE: NTS



**MULTI BRANCH TREE & SHRUB DETAIL**  
SCALE: NTS



**SWALE AND DRAIN TILE DETAIL**  
SCALE: 1 1/2" = 1'-0"

**GRANITE HEARTH PROPERTIES**  
granitehearth@gmail.com  
www.WellsandCompanyArchitects.com

**WELLS & COMPANY ARCHITECTS**  
612-669-2052  
PO BOX 8589  
Minneapolis, MN 55408  
www.WellsandCompanyArchitects.com

PROJECT TITLE:  
**NEW 6 UNIT APARTMENT BUILDING AT: 5605 Nicollet Ave Minneapolis, MN**

SHEET TITLE:  
**LANDSCAPE DETAILS AND SITE DETAILS**

PDR RESUBMISSION AND ZONING APPROVAL  
2-25-2016

PROJECT #: 02-2016  
DRAWN BY: WELLS  
CHECKED BY: WELLS  
ISSUE: DATE:

I hereby certify that this plan specification or report was prepared by me or under my direct supervision and that I am a duly registered architect under the law of the state of: Minnesota  
signed: William M. Wells, Architect  
date: reg. no. 49615

SHEET NO:

**L2**



June 13, 2016

Steve Poor, Direction of Zoning  
c/o Kimberly Holien  
250 South 4<sup>th</sup> Street, Room 300  
Minneapolis, MN 55415

Land Use Application  
Variance Request  
Public Hearing July 18<sup>th</sup>

Re: 5605 Nicollet Ave South in Minneapolis. Authorization Letter.

Dear Mr. Steve Poor, Kimberly Holien, and Minneapolis Planning Commissioners:

I am the property owner at 5605 Nicollet Ave S. I authorize William Wells, Architect of Wells & Company Architects to submit a Land Use Applicant and speak on my behalf at the public hearing on July 18, 2016. Please release any and all zoning information to him about the project. Thank you,

A handwritten signature in black ink that reads "Shawn Briggs". The signature is written in a cursive, slightly slanted style.

Shawn Briggs,  
Granite Hearth Properties, LLC  
[granitehearth@gmail.com](mailto:granitehearth@gmail.com)

## SITE PHOTOS



The Existing site at 5605 Nicollet Ave. Vacant Lot with Trees. Pre-Construction Photo. May 2015



Proposed New Development. Architectural Rendering by Architect.  
The Building is 33'-8" tall. The maximum allowable height is 35'-0"



Existing Law Office to the North.



Existing single family house to the South. View from Nicollet Ave. Front Yard.  
Please Notice the house is on a hill. The first floor line is 6'-0" above the sidewalk.



Site photo by Wells & Company Architects. 2016  
The existing law office uses the vacant lot at 5605 Nicollet for over-flow parking and storage.



Site photo by Wells & Company Architects. June 2016  
The site is under construction. View of existing parking area behind 5605 Nicollet.



Existing Single Family House to the South. View from the Alley.



Existing Site is a vacant Lot. View From the Alley.

THESE ARE ALL PRE-CONSTRUCTION PHOTOS. THE SITE IS NOW UNDER CONSTRUCTION

**From:** [Jeff Larson](#)  
**To:** ["William Wells"; windomcommunity@gmail.com; "Granite Hearth Properties"](#)  
**Cc:** [Hollen, Kimberly; med56@cocast.net](#)  
**Subject:** RE: 5605 Nicollet - Windom Community & Neighbors - we hear you.  
**Date:** Monday, June 06, 2016 12:27:55 PM

---

Granite Hearth, Inc. & William Wells Architects:

I am sending this letter as a member of the Windom Community, speaking only for myself but perhaps others are of a similar opinion-in which case, I encourage you to "reply all" and let your opinion be counted. Although I am a land owner and work in Windom, I do not reside here; nonetheless I have joined numerous individual and group discussions among and between neighbors whose concerns I share.

The demonstration on June 01<sup>st</sup> was to bring attention to the only recently-passed change to a Minneapolis city ordinance that does not require any off-street parking for some multi-unit residential development projects. My understanding that the background and discussions leading up to this change anticipated the large condo developments occurring in or near downtown where parking ramps and other off-street parking was available and did not also knowingly consider smaller projects in residential neighborhoods, such as 5605.

To be clear, neither the Windom Community residents (nor I, as a land-owner) is against development of the property at 5605. Our discussions and ultimate position does not deny or contest the legality of the zoning and permitted construction. What many neighbors do oppose (100+ and growing have signed onto the petition) is a change in the city ordinance that allows for 100% of all building parking needs to be located 100% of the time on street, a 100% of the time other than in front of the building itself. In this instance, it is conceivable that 12 or more cars would forever, on a daily basis, be seeking parking on city streets anywhere but in front of or on the proposed building site. It is unfathomable that this kind of increased parking density would not have an adverse impact on the neighborhood and could therefore be considered to improve the overall quality of the neighborhood for residents who live here. The initial plan called for a four-plex to be built which would not require a variance to have four off-street parking spaces, which would accommodate approximately 50% of tenant parking. In contrast, the current plan accommodates no tenant parking but pushes it all onto neighborhood streets.

I sent email s weeks ago to Granite Properties, sharing what City planning/ Zoning told me, and which was presumably already communicated to and understood by Granite Hearth and Wells Architects directly from Zoning/Planning. The planning and zoning process is straight forward and clear - a developer has two options. If a plan is presented and approved administratively, no variances can be requested at the time the plan is submitted for processing, during the project, or on the heels of project completion. In contrast, if a plan also contains variances (and presumably in this case approved, as indicated by Zoning/Planning Officials) a public meeting is required and a site plan be submitted for committee approval. Contrary to what Mr. Wells seems to be implying or suggesting, it is not possible under the law to have administrative approval of a building plan but at the same time ask for a variance from ANY city building authority for ANY reason. That is the law. Consequently, a variance requested for even a single handicapped space at this time is

contrary to the planning protocols and should be denied. I would support that denial as a matter of law and process since “these rules are knowable before you even buy the property.” Moreover, securing a single off-street handicapped parking space does virtually nothing to alleviate the disproportionate use of public parking in the neighborhood but does serve the owner’s interest-making the residence more marketable (but only marginally so).

To suggest that anything less than six units is not financially feasible begs the question, “How did the prior developer seem to think it could work, as their plan called for only a four-plex development? “ Moreover, another pressing question is, “How desirable are residences that have no off-street parking and perhaps none within a city block due to overcrowding, which is exacerbated by seasonal pressures? Nicollet Ave and 56 Street are both snow emergency routes, and alternate side winter parking may mean the loss of ½ of street parking for weeks or months; a ½ block away 22 mail carriers daily park their cars on the city streets south of Diamond Lake Rd. since no employee parking is provided; and the 5500 block of 1<sup>st</sup> Ave is already crowded throughout the day with cars parked from another multi-unit apartment building on the Northside of Diamond Lake Road. While it is true there is mass transit curbside, adjacent to the property, a single bus route into or out of downtown serves only those who work in the city center or along that routes-it is not centrally-located to a transit hub that readily allows for transportation throughout the city.

Readily available parking is a huge issue for those who already live (and work) in this neighborhood. Overcrowded streets will erode and ultimately undermine the quality of life in this neighborhood that Windom neighbors now enjoy. While the law allows a landowner to build a multi-residential development with no off-street parking, therefore acting within the law, this is not to say that the development truly considers the best interests of a neighborhood and the people who live there. I would encourage other neighbors reading this email to also respond to let your voice be heard, as bring this issue to the attention to those who have not yet heard, but who likely have an opinion too.

If the project moves forward with no variance for off-street parking secured before ground breaking, you are certainly within your rights to do so, but do not expect the admiration or respect of neighborhood residents for responsibly developing the property to increase rather than detract from the quality of life here in Windom.

Sincerely,

Jeffrey P. Larson

---

**From:** William Wells [mailto:wellsandcompany@yahoo.com]  
**Sent:** Thursday, June 02, 2016 4:21 PM  
**To:** windomcommunity@gmail.com  
**Cc:** Kimberly Holien  
**Subject:** 5605 Nicollet - Windom Community & Neighbors - we hear you.

Dear Windom Community and Neighbors,

I am the project architect for the new 6 unit housing development at 5605

Nicollet. I want to commend you on your creativity with the blue tarps and signs last night. And the time you invested in the parking issue.

I certainly agree with you that on-site parking is important. Especially, when it comes to handicap parking.

I am working with City Zoning Staff to find a solution and determine how we can maximize on-site parking.

There are multiple options being discussed right now, and we are working with Zoning Staff to find a solution.

Congratulations to you, and the time it took to organize. Yes, democracy works.

I will keep you updated on the project.  
or you can contact City Zoning Staff directly for an  
update: [kimberly.holien@minneapolismn.gov](mailto:kimberly.holien@minneapolismn.gov)

Thank you,

William Wells, Architect, 612-669-2052

**From:** [becky markkanen](#)  
**To:** [Holién, Kimberly](#)  
**Subject:** Parking issue 5605 Nicollet A  
**Date:** Friday, June 03, 2016 9:29:42 AM

---

Thank you in advance for your help in finding a good solution to the parking situation @ a proposed new 6 unit building 5605 Nicollet.

I think downsizing to a 4 unit building is a good solution which would provide spaces in the back to park.

We had a very organized, quiet neighborhood gathering June 1 to protest and show how this would impact our RESIDENTIAL neighborhood and how committed we all are to this!! 6 units without parking is just UNACCEPTABLE.

Thank you for your time.

**From:** [Mary Distel](#)  
**To:** [William Wells](#)  
**Cc:** [Poor, Steve](#); [Quincy, John](#); [Dybvig, John E.](#); [Holiem, Kimberly](#); [Petersen, Mary E.](#); [Ellis, Bradley E.](#); [Nilsson, Erik A.](#); [Granite Hearth Properties](#); [Windom Community](#); [patrick-b@q.com](#); [sally.exe@gmail.com](#)  
**Subject:** Re: 86 Signatures. Signed Petition from Neighbors demand on site parking at 5605 Nicollet - (NEW 6 UNIT BUILDING)  
**Date:** Thursday, May 26, 2016 4:18:48 PM

---

I believe the developer needs to downsize this project to accommodate parking. Please consider a duplex on the SMALL lot your building on!

Sent from my iPhone

On May 26, 2016, at 9:32 AM, William Wells <[wellsandcompany@yahoo.com](mailto:wellsandcompany@yahoo.com)> wrote:

Dear Mr. Steve Poor, and Minneapolis Zoning Staff

CC: Windom Neighborhood Association and Neighbors.

The Architect and Property Owners received the attached signed petition from 86 neighbors, outlining concerns over a lack of parking on-site at the new housing development at 5605 Nicollet. Currently, The project has all necessary permits and construction starts this week. No parking is currently provided on site.

We respect the neighbor's concerns and the time it took to organize and create such a petition.

We are fully willing to provide parking on the site. The Architect submitted multiple options to Zoning Staff showing various parking solutions, Zoning Staff ruled that none of the options presented comply with the Zoning Code. The Architect would therefore appeal the ruling of Zoning Staff to the Zoning Board of Adjustments for a public hearing to discuss the parking and site plan issues, and specifically, zoning staff position that maneuvering and turning in an alley is not allowed. Whereas, there are many recently established precedents, where zoning staff allowed turning in an alley. An many recently established precedents with much higher density where maneuvering and turning from an alley into a residential parking lot was allowed. There seems to be a different set of rules applied to this project, and we would like to discuss it publicly, showing precedents.

When can we address neighbors concerns, and attend a public hearing, at the Zoning Board of Adjustments ?

William Wells, Project Architect, 612-669-2052

<Community Signatures-5605-Nicollet.pdf>

<Community Signatures-5605-Nicollet.pdf>

**From:** [PATRICIA J SOULAK](#)  
**To:** [William Wells](#); [patrick . trudy barret](#)  
**Cc:** [Nikki Lindberg](#); [Quincy, John](#); [Hollen, Kimberly](#); [Poor, Steve](#); [Ellis, Bradley E.](#); [Wittenberg, Jason W.](#); [Windom Community](#)  
**Subject:** RE: 5605 Nicollet Ave - New 6 Unit Apt Building - NO PARKING ? - COMMUNITY MEETING LAST NIGHT  
**Date:** Friday, March 11, 2016 5:22:52 PM

---

Thank you William for your presentation at the Windom Council last evening. There was a good turnout of neighbors who have concerns regarding parking in the area. I also live 1 -1/2 blocks from the site and have concerns regarding the parking and it's impact on the neighborhood. Several neighbors their voiced concerns that they have duplex rentals on the block and were told they could not expand their proposed renovations without providing adequate parking. It does not seem to be consistent the city will let this development proceed without any requirement for the parking. If there is 6 units, then it would seem reasonable that there would be a need for a minimum of 6 parking spaces. Parking on Nicollet is not going to happen because of bus traffic and the MTC bus stop is right there. Also, Nicollet and 56th Streets are Snow Emergency Routes, so that would be a huge issue for parking. The city is proposing higher density housing, and planning on people taking buses or biking, but realistically that is not going to happen. I would not be in favor of supporting this project as it stands without adequate parking.

It was also discussed that you look at reducing the upscale or luxury aspects to the rentals and make them more marketable and in the scope of the other housing in the neighborhood.

Did you send this letter to the residents who attended?

Best,  
Pat Soulak, Windom President

---

Date: Fri, 11 Mar 2016 18:14:28 +0000  
From: wellsandcompany@yahoo.com  
To: patrick-b@q.com  
CC: pjsoulak@msn.com; nicolelindberg67@gmail.com; john.quincy@ci.minneapolis.mn.us; kimberly.holien@minneapolismn.gov; steve.poor@minneapolismn.gov; bradley.ellis@minneapolismn.gov; jason.wittenberg@minneapolismn.gov; windomcommunity@gmail.com; wellsandcompany@yahoo.com  
Subject: 5605 Nicollet Ave - New 6 Unit Apt Building - NO PARKING ? - COMMUNITY MEETING LAST NIGHT

Dear Windom Community and Neighbors,

**From:** [sun.source@comcast.net](mailto:sun.source@comcast.net)  
**To:** [William Wells](#)  
**Cc:** [pat\\_barrett](#); [PATRICIA J SOULAK](#); [Nicole Lindberg](#); [Quincy, John](#); [Hollen, Kimberly](#); [Poor, Steve](#); [Ellis, Bradley E.](#); [Wittenberg, Jason W.](#); [windomcommunity@gmail.com](mailto:windomcommunity@gmail.com)  
**Subject:** Re: 5605 Nicollet Ave - New 6 Unit Apt Building - NO PARKING ? - COMMUNITY MEETING LAST NIGHT  
**Date:** Saturday, March 12, 2016 4:25:08 PM

---

Constructing an apartment building without parking on site would be a big mistake. It would be very difficult to rent these upscale units for \$1800 per month with no parking provided.

Recommend 4 units with 4 parking spaces to make this a viable project regardless of what zoning regulations require.  
John Oehlke - Resident

Sent from my iPhone

On Mar 11, 2016, at 12:14 PM, William Wells <[wellsandcompany@yahoo.com](mailto:wellsandcompany@yahoo.com)> wrote:

Dear Windom Community and Neighbors,  
Thank you for taking the time yesterday, to meet with the project Architect of the newly proposed 6 Unit Apartment Building at 5605 Nicollet Ave. The attached 11x17 color site plan was presented publicly showing the site plan options and project history. The project was designed and approved in 2015 as a 4 unit (3 Bedroom / unit) housing development with 12 bedrooms on site and 3 surface parking spaces. No Variances. Recently, the Architect re-submitted the plans to the City changing the design to 6 unit (2 Bedroom / unit) housing development with 12 bedrooms on site. **THE DENSITY HAS NOT CHANGED, BUT NOW THE PARKING IS NOT ALLOWED.** As discussed last night, it is now Zoning Staff's position that no parking is required or allowed behind the building. Which means tenant and handicap parking is on the

public street.

The Zoning Staff member assigned to review the project is Kimberly Holien.

Please "REPLY ALL" on this email, with your comments or suggestions regarding the project. The Architect will try to work with you and City Staff to address your parking concerns.

Please be advised that anything you write to the City about this project will be in the **public record**.

Thank you, I enjoyed meeting the Windom Community. Let's work together to make this a good project.

William Wells, Project Architect, 612-669-2052

<Site-Plan-Options.pdf>

Windom neighborhood neighbors:

A Six 2-bedroom unit apartment building is slated to be built on the empty lot located at 5605 Nicollet Ave. Zoning regulations require that a variance be applied for any off-street parking lot. To date, the builder has no intention of requesting a variance. Consequently there could possibly be up to 12 additional tenant cars (but maybe even more) parked on city streets in the immediate area that is already congested, and which is further congested when snow emergencies are declared. Even if a variance is applied for (and presumably would be granted) a lot might accommodate up to only 4 cars, maximum, leaving a possible additional 8 cars parked curbside throughout the neighborhood.

The developer has a legal right to build the six unit building under existing Minneapolis zoning laws but this does not make the anticipated building the right thing to do for our neighborhood. The zoning regulations do not consider the disproportionate negative impact existing land owners and tenants in the neighborhood will forever suffer because of a disproportionate use of limited public curbside parking space coming from a single property that is no larger than any other single residential unit in the neighborhood.

Given the already congested public parking closest to 5605 both on Nicollet and on 56 Street, 12 additional cars looking for parking in that immediate area could cause a domino effect of ever-increasing loss of parking space that residents within a block or more of this property now enjoy and take for granted.

+++++

We, the undersigned, respectfully request that the builder either consider parking onsite to accommodate at least 50% of all tenant parking needs or scale back plans to develop the property to a single home or duplex unit so that as a property which is no larger than any other residence in the neighborhood does not disproportionately use public curbside parking space, so as to significantly and adversely impact existing tenants and landowners in the neighborhood forever.

# 5605 Nicollet Concerned Citizens

DATE

	Name	Address	Telephone	
1	STEVE BRINDUSE	5660 1st Ave S	612 869-6521	25 APR 2016
2	Elvill Friso	5632 Stevens Ave	612- 798-5276	25 APR 2016
3	William W. Palmer	5632 STEVENS Ave SO	612 327 8945	25 APR. 2016
4	SUSANA GLUCK	5540 Stevens Ave	612-724-3416	27 Apr 2016
5	Gregg Ludvik	5640 1st Ave S.	612-861-1246	28 April, 2016
6	Kay Ludvik	5640 1st Ave SO.	612-532-7569	29 April 2016
7	Barbara Jean	5633 1st Ave S	612 869 5553	29 APR 2016
8	Nancy Koski	5624 1st Av S	612.866-9556	
9	Kasia Cymelmann	5644 1st Ave S	651 797-6694	
10	Julia Eikenberry	5747 1st Ave S.	612-669-5810	4/29/16
11	Emily Fesk	5720 1st Ave S	952-250-1667	4/29/16
12	Julie Millikan	5636 1st Ave S	612-227-4880	4.29.16
13	Jackson Millikan	5636 1st Ave S	612 866 4879	4/29/16
14	Patsy Soudak	5636 Stevens Ave	612 861 8857	
15	<del>Shirley A. Johnson</del>	5621 1st Ave S 55419	612 720 3712	4/29/16
16	Brian Giverson	5621 1st Ave S 55419	612-720-2070	4/29/16
17	Tyran WENDORF	5629 1st Ave S 55419	612 995 5727	4/29/16
18	Russ Gronlund	5633 1st Ave S 55419	612 869-7869	4/29/16
19	Theresa Jynn	5645 1st Ave S 55419	612-866-7526	
20	Sara Peterson	5649 1st Ave S 55419	612-327-7195	4/29/16
21	Becky Markkaman	5624 Stevens Ave.	612 866-1044	
22	Rebecca Fynn	5657 1st. Ave S.	612 229-0937	4/29/16

9