Federal Environmental Assessment
per the
National Environmental Policy Act (24 CFR Part 58) and the National Historic Preservation Act (36 CFR Part 800)

Jackson Flats
901–913 18 ½ Avenue NE; 1839–1847 Jackson Street, Minneapolis, MN 55404

Responsible Entity: City of Minneapolis

Completed for the City of Minneapolis by the
Minneapolis Grants and Special Projects Office and the Minneapolis Community Planning and Economic Development Department—Planning Division

September 25, 2012

	Grants and Special Projects	**Project**
Contact person:	Matthew Bower	Theresa Cunningham,
Title:	Manager Resource Coordination	Project Coordinator
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Email	matthew.bower@minneapolismn.gov	Theresa.Cunningham@Minneapolismn.gov

INTRODUCTION

This document is a federal Environmental Assessment (EA) completed by the City of Minneapolis regarding the above named project. Federal regulations require verification that the project will meet the requirements of the National Environmental Policy Act of 1969.

On 14 October 1996, the U.S. Department of Housing and Urban Development (HUD) delegated its responsibilities to complete required EAs to the appropriate local governmental agencies, in this case, the City of Minneapolis. The City has completed the EA in compliance with the National Environmental Policy Act, most specifically 24 CFR Part 58, the National Historic Preservation Act (36 CFR Part 800), and all applicable rules and regulations at both the federal and state levels. Consistent with 36 CFR Part 800.8 (c), it is also intended to meet the requirements of Section 106 of the National Historic Preservation Act.

Consistent with 24 CFR Part 58, this EA is being distributed to the interested groups and individuals, local news media, libraries, and appropriate governmental agencies. A 15-day review period per 24 CFR Part 58.45 will commence beginning on the date of distribution listed

Attention: If you want help translating this information, call -**Hmong** - Ceeb toom. Yog koj xav tau kev pab txhais cov xov no rau koj dawb, hu 612-673-2800; **Spanish** - Atención. Si desea recibir asistencia gratuita para traducir esta información, llama 612-673-2700; **Somali** - Ogow. Haddii aad dooneyso in lagaa kaalmeeyo tarjamadda macluumaadkani oo lacag la' aan wac 612-673-3500

above. Responses and comments on the EA and the Finding of No Significant Impact (FONSI) can be submitted within the review period to Mr. Bower at the address listed above.

SUMMARY OF ENVIRONMENTAL CONDITIONS FINDINGS AND CONCLUSIONS

1.0 Project Summary

The Jackson Flats project is a proposed artist live/work housing community project in the City's Arts District of Northeast Minneapolis. The Jackson Flats project will revitalize a 37,000 square foot vacant parcel of land at the corner of 18-1/2 Avenue and Jackson Street through the creation of a new 4-story, 69,000 square foot structure providing 35 units of artist housing for families earning 60% of the area median income and below; 31 underground parking spaces and 1,750 square feet of gallery and flexible community space. The building has been designed to provide all of the ingredients for effective and innovative artist live/work space, utilizing several sustainable strategies.

2.0 Project Evaluation per 24 CFR Part 58, Section 58.40

2.1 Determine existing conditions and describe the character, features, and resources of the project area and its surrounding; identify the trends that are likely to continue in the absence of the project.

Response: The block that the development would be located is currently vacant. It was previously occupied by low density single and two family dwellings. The proposed development will complement the surrounding uses. Utilizing the site for higher density housing will provide additional opportunities for housing within the neighborhood. If the project does not go forward, this site is likely to remain in its current state until some future date.

2.2 Identify all potential environmental impacts, whether beneficial or adverse, and the conditions that would change as a result of the project.

Response: EA Form 5 and the responses to these six findings address all of the potential environmental effects that would change as a result of this project. The proposed development will result in the testing and, if necessary, removal of contaminated soils for proper off-site disposal and treatment. As a result, the on-site contaminants will be greatly reduced.

2.3 Identify, analyze, and evaluate all impacts to determine the significance of their effects on the human environment and whether the project will require further compliance under related laws and authorities cited in Sec. 58.5 and Sec. 58.6.

Response: Sections 58.5 and 58.6 state that the Responsible Agency must consider the criteria, standards, polices, and regulations of several laws and

agencies that are listed in these sections of the law. EA Form 5 and the responses to these six findings address all of these laws and agencies.

2.4 Examine and recommend feasible ways in which the project or external factors related to the project could be modified in order to eliminate or minimize adverse environmental impacts.

Response: As described in this Environmental Assessment, no other substantial adverse environmental effects are likely to result from the project. The project will be the subject of multiple City reviews that will further ensure this to be true and to ensure the project is consistent with all applicable policies, plans, laws, and regulations.

2.5 Examine alternatives to the project itself, if appropriate, including the alternative of no action.

Response: The no-action alternative is addressed above in the response to Finding number 1.

2.6 Complete all environmental review requirements necessary for the project's compliance with applicable authorities cited in Sections 58.5 and 58.6.

Response: Sections 58.5 and 58.6 state that the Responsible Agency must consider the criteria, standards, polices, and regulations of several laws and agencies that are listed in these sections of the law. Form 5 and the responses to these six findings address all of these laws and agencies.

3.0 Conclusion and Finding of No Significant Impact

After the City has addressed all concerns raised during the review period, the City will have complied with all applicable federal, state and local regulations. When signed below, the City makes a "Finding of No Significant Impact."

The undersigned does hereby certify that the information furnished in this Environmental Assessment is true and accurate to the best of their knowledge, and that the project is not an action that will result in a significant impact on the quality of the human environment:

_____

Matthew Bower, Manager Resource Coordination, Minneapolis Grants and Special Projects Office

Federal Environmental Assessment
Jackson Flats

Attachments:

1. CPED Project Data Sheet
2. SHPO Letter
3. Flood Insurance Rate Map
4. Wetland Map
5. MN DNR Letter Request
6. Noise Assessment
7. Phase I Environmental Site Assessment – Executive Summary
8. City Planning Commission approvals

ENVIRONMENTAL REVIEW RECORD

National Environmental Policy Act

Approved for the City of Minneapolis by the Minneapolis Office, Federal Housing and Urban Development Department

Consistent with 24 CFR Part 58 -- Environmental Review Procedures of Entities Assuming HUD Environmental Responsibilities and 36 CFR Part 800 -- Protection of Historic Properties

Project Information

Project name and summary	The Jackson Flats project is a proposed artist live/work housing community project in the City's Arts District of Northeast Minneapolis. The Jackson Flats project will revitalize a 37,000 square foot vacant parcel of land at the corner of 18-1/2 Avenue and Jackson Street through the creation of a new 4-story, 69,000 square foot structure providing 35 units of artist housing for families earning 60% of the area median income and below; 31 underground parking spaces and 1,750 square feet of gallery and flexible community space. The building has been designed to provide all of the ingredients for effective and innovative artist live/work space, utilizing several sustainable strategies.
Location	1839-1847 Jackson St NE, 901-913 18 1/2 Avenue NE
Applicant	Artspace Jackson Flats LP
Project contact	Theresa Cunningham, Project Coordinator
Address	CPED, 105 5th Avenue South, Suite 200, Minneapolis, MN 55401
Phone	612-673-5237 TDD 612-673-2157
Facsimile	612-673-5259 email Theresa.Cunningham@Minneapolismn.gov
HUD contact	Cindy Behnke, Senior CPD Representative, US HUD, 920 Second Avenue, Suite 1300, Minneapolis, MN 55402; 612-370-3019 X2101; Cynthia_Behnke@hud.gov
City contact person	Matt Bower, Project Coordinator
Address	Minneapolis Grants and Special Projects Office, 350 South 5th Street, Rm 301M City Hall; Minneapolis, MN 55415-1385
Phone	612-673-2188 TDD 612-673-2157
Facsimile	612-673-3724 email Matthew.Bower@Minneapolismn.gov
Env. Assessment contact person	Jacob Steen, City Planner
Address	CPED - Planning Division, 250 South 4th Street, Rm 110 Public Service Center, Minneapolis, MN 55415-1385
Phone	612-673-2264 TDD 612-673-2157
Facsimile	612-673-2526 email Jacob.steen@Minneapolismn.gov

Statutory Checklist

Area of Statutory or Regulatory Compliance	Not applicable to this project	Consultation required	Review required*	Permits required	Determination of consistency approvals; permits obtained*	Conditions and/or mitigation actions required	Source Documentation
FACTORS							
Historic [58.5 (a)]	X						No historic impacts are expected to result from the project. Minneapolis Community Planning and Economic Development staff have concluded that the property is not listed on the NRHP and is not located in a national historic district. Furthermore, the site is not locally designated. The Minnesota State Historic Preservation Office (SHPO) has confirmed that the proposed development includes no properties listed in or eligible for the National Register of Historic Places. (**Attachment 2**).
Floodplain management [58.5 (b)]	X						The City's GIS mapping system incorporates the floodplain zones mapped by the Federal Emergency Management Agency (FEMA). The attached map indicates that the project site is not located within a 100-year flood plain, a floodway, or flood hazard area. (**Attachment 3**). The site is located within the jurisdiction of the Mississippi Watershed Management Organization (MWMO).
Wetland protection [58.5 (b)]	X						The site is located within the jurisdiction of the Mississippi Watershed Management Organization. Per the National Wetlands Inventory, no wetlands have been identified on this urban site or nearby urban surroundings. (**Attachment 4**).
Coastal barrier management [58.5 (c)]	X						There are no coastal zones in or near the City of Minneapolis.
Sole source aquifers [58.5 (d)]	X						The project will have no impact on sole source aquifers. The site is served by the Minneapolis Water Works which draws its water supply from the Mississippi River under MN DNR appropriation permit #786216-1. Potable supplies are adequate to meet the needs of the project without modification to the existing system.
Endangered species [58.5 (e)]		X					For over a century, the project area has been developed as low-density single and two family residences. Vegetation is limited to a few on-site trees, turf grasses, on-street boulevards and nearby city parks. Generally, this results in limited habitat to support any significant wildlife resources. A request has been submitted to the Minnesota DNR Natural Heritage and Non-game Research program. (**Attachment 5**). Staff expects that the result of this review will indicate that the project will not negatively affect any threatened or endangered species in the project area. Staff expects this confirmation during the 30-day comment period.
Wild & scenic rivers [58.5 (f)]	X						There are no wild and scenic rivers in or near the City of Minneapolis.
Air quality [58.5 (g)]	X						The project will have to comply with all pertinent federal requirements. The City of Minneapolis will be responsible for the issuance of building permits. The City processes include on-site inspections to ensure conformance with all applicable local regulations. City policies encourage building practices that maximize energy efficiency and alternative transportation, and that minimize off-site air quality impacts. Hennepin County, in which these Minneapolis projects are located, and surrounding counties are not designated as non-attainment.
Farmland protection [58.5 (h)]	X						Not applicable.
Environmental justice [58.5 (j)]	X						The development is intended to provide live/work housing for individuals and families earning 60% of the area median income and below. No sensitive populations will be adversely effected by the project.
HUD ENVIRONMENTAL STANDARDS							

Statutory Checklist

Area of Statutory or Regulatory Compliance	Not applicable to this project	Consultation required	Review required[a]	Permits required	Determination of consistency approvals; permits obtained[a]	Conditions and/or mitigation actions required	Source Documentation
Noise abatement and control [per 24 CFR 51 B]					X		The noise analysis concludes that the project is located within a "Acceptable" noise range for HUD-funded projects as defined in federal regulations at 24 CFR Part 51. The primary sources of noise are roadway noise (autos, buses, and heavy trucks on Central Avenue, 18th Avenue NE, and Monroe St. NE) and railroad noise (BNSF operations). **(Attachment 6).**
Toxic or hazardous substances and radioactive materials [per HUD Notice 79-83]						X	A Phase I and Phase II Environmental Site Assessment, as well as Response Action plan were prepared for the site **(Attachment 7).** The 0.82 acre site has been used for residential development dating back to as early as 1885. The site consists of ten (10) underlying parcels, upon which eight (8) residential structures previously existed. No above grade structures remain, although the remains of building walls and foundations exist at locations throughout the site. A concrete-covered alleyway (connecting Jacobson Street to the east-adjoining alley) is present in the southern portion of the site. The Phase I identified a two nearby facilities (Eich Motors, 1910-1918 Central Ave NE; and Minnesota Plating Facility, 1900 Central Ave NE) neither of which are still in operation. The Phase I report stated that these two former operations may have a potential impact on groundwater on site, although the groundwater table was not encountered during testing. Although buried garbage and asbestos containing material was removed in 2008, testing indicated other instances of buried debris that may require management as hazardous or solid waste. Fills soils ranging from the surface to 4-7 feet below ground surface are impacted with debris, arsenic, diesel range organics (DRO), and polynuclear aromatic hydrocarbons (PAH). Debris in fill materials on the east side of the property has arsenic levels above the Tier 2 Residential Soil Reference Value (SRV). The proposed development and future green space (including a playground and community garden) necessitate the removal of impacted fill. Unless soils can be reused elsewhere onsite or at another brownfields site, impacted soils will need to be disposed of at a state approved landfill. Volatile organic compounds (VOCs) in soil vapor were mostly identified at levels low enough to not require mitigation. Since 1,3-butadiene was detected, and may be an indicator of groundwater contamination from offsite sources, a vapor mitigation system is included in the Response Action Plan.
Siting of HUD-assisted projects near hazardous operations [per 24 CFR 51 C]	X						The project will not be sited near any hazardous operations.
Airport Clear Zones and Accident Potential Zones [per 24 CFR 51 D]	X						The site is not located within an Airport Safety Zone.
LAND DEVELOPMENT							
Conformance with comprehensive plans and zoning					X		The future land use designation of the site is urban neighborhood in The Minneapolis Plan for Sustainable Growth. The site is located one-half block from Central Avenue, which is designated as a commercial corridor. The Central Avenue Small Area Plan was adopted by the City Council in 2008. The plan recommends medium density housing of urban oriented development intensity, such as townhomes, small apartments and live/work, with a height of 4 to 5 stories (maximum of 56 feet) on the site. The proposed development would be consistent with the applicable policies of the comprehensive plan and the small area plan.
Slope, erosion and soil suitability	X						There are no steep slopes on the site. During demolition and construction, best management practices for control of erosion and sedimentation will be implemented as required by the Minneapolis Code of Ordinances, Chapter 52, Erosion and Sediment Control for Land Disturbance Activities. The City will also conduct on-site inspections during construction. A Phase I and Phase II Environmental Site Assessment was prepared for the site **(Attachment 7)**. The soil encountered at the site consisted primarily of sandy silt fill and top soil underlain by fine- to medium-grained, silty sand. The soil push-probes ranged from 11.5' to 28'. Groundwater was not encountered in any of the borings.
Hazards, nuisances, site safety, public safety	X						There are no known hazards or public nuisances on site. Any hazardous soils will be removed and disposed of off-site. The project will bring new development that will add pedestrian activity which usually translates into increased site safety and public safety.
Energy efficiency	X						The project will comply with the City's policies that call for the maximization of energy efficiency.
Project's contribution to community noise levels	X						Construction noise of the project will be regulated by Minneapolis Code of Ordinances, Chapter 389, Section 389.70, Noise. This section of the Code specifies strict limits for both the hours of operation of construction equipment and the allowable noise levels of that equipment. The City Inspectors from the City's Environmental Management Division of the Regulatory Services Department are responsible for enforcing the regulations. Increased noise during construction will be temporary.
Visual quality, coherence, diversity, compatible use and scale					X		On November 14, 2011, the Minneapolis City Planning Commission approved the required land use applications for the proposed development (BZZ-5357). **(Attachment 8).** The review of these applications evaluated the potential visual, scale and massing impacts of the project as well as the compatibility of the development with the rest of the neighborhood.
Demographic character changes, displacement, employment, and income patterns	X						The project will add 35 units of affordable rental housing to this currently vacant and polluted site. This will have positive effects on the neighborhood, help to increase density in an area of the City that is appropriate for medium-density housing consistent with numerous City adopted policies, add to the City's tax base and economic base, and the construction of the project will add jobs. The units will provide live/work flexibility targeted towards artists who are drawn to the area which is referred to as the Northeast Arts District.
Educational, commercial, health care and social service facilities	X						Not applicable.
Solid waste	X						Private haulers under contract with the property owner will provide municipal solid waste (MSW) collection and recycling program services. The City and the County maintain award-winning recycling programs that recover over 30% of the waste stream. The County also recovers much of the embedded energy in the MSW through its garbage incinerator.

Statutory Checklist							
Area of Statutory or Regulatory Compliance	**Not applicable to this project**	**Consultation required**	**Review required***	**Permits required**	**Determination of consistency approvals; permits obtained***	**Conditions and/or mitigation actions required**	**Source Documentation**
Water supply and waste water	X						The project will be served by the City's water system and the sanitary and sewer systems. City sewers flow into the Metropolitan Council Environmental Services sanitary sewer interceptor for treatment at the Metropolitan Waste Water Treatment Plant with ultimate discharge to the Mississippi River. No pretreatment or special treatment methods for this wastewater are required and adequate capacity exists in these systems for the project.
Stormwater	X						The Mississippi River is the receiving body for stormwater from this site. During demolition and construction, best management practices for control of erosion and sedimentation will be implemented as required by the Minneapolis Code of Ordinances, Chapter 52, Erosion and Sediment Control for Land Disturbance Activities. The City will also conduct on-site inspections during construction. The project features an approved stormwater management and drainage plan, approved by the City Engineer (PDR 1000898).
Open space, recreation, cultural facilities	X						Not applicable.
Transportation	X						The minimum parking requirement for the proposed development is 32 spaces. The applicant received a variance of the minimum parking requirement by one space (BZZ-5357), to provide 31 vehicle parking spaces. (**Attachment 8**). Secure bicycle parking at one space per dwelling unit (twice the minimum required) will be provided for the residents. The site is within three blocks of two designated bicycle routes. High frequency transit is also available on Central Avenue, which is located one-half block from the subject site. There are many neighborhood serving retail sales and services uses within convenient walking distance as well. The development should have little effect on congestion in the streets.
Certification	The undersigned does hereby certify that the information furnished in this Environmental Assessment is true and accurate to the best of their knowledge:						
Signature of City official/Date	Jacob Steen, City Planner				Date 9/20/12		

ATTACHMENT 1

Project Data Worksheet, location map, and development plans

CPED MULTIFAMILY HOUSING DEPARTMENT
Affordable Housing Inventory Project Data Worksheet

Project Status

Proposed:	8/4/2010
Approved:	☑
Closed:	
Complete:	

Impaction
- (•) Non-Impacted
- ( ) Impacted

Occupancy
- (•) Rental
- ( ) Ownership

Project Name:	Artspace Jackson Flats
Main Address:	18XX Jackson St NE
Project Aliases:	
Additional Addresses:	9XX 18 1/2 Ave NE; 9XX 19th Ave NE
Ward: 1	Neighborhood: Logan Park

Project Activity
- ☑ New Construction
- ☐ Rehabilitation
- ☐ Stabilization
- ☐ Preservation

Year Built:

Development
- (•) Apartment/Condo
- ( ) Townhome
- ( ) Coop
- ( ) Shelter
- ( ) Transitional
- ( ) Scattered Site/Other

Household
- ☑ General
- ☐ Family w/Children
- ☐ Senior
- ☐ Single
- ☐ Special Needs
- ☐ Homeless

Housing Production and Affordability

UNIT COMPOSITION

UNIT	QTY
0BR	0
1BR	7
2BR	16
3BR	12
4+BR	0
TOT	35

UNIT AFFORDABILITY

UNIT	<30%	<50%	<60%	<80%	MKT
0BR	0	0	0	0	0
1BR	3	2	2	0	0
2BR	4	6	6	0	0
3BR	0	6	6	0	0
4+BR	0	0	0	0	0
TOT	7	14	14	0	0

Shelter Units:
Section 8:
+ Conversion Units:

GENERAL INFORMATION

The Jackson Flats project is a proposed artist live/work housing community project in the City's Arts District of Northeast Minneapolis. The Jackson Flats project will revitalize a 37,000 square foot vacant parcel of land at the corner of 18-1/2 Avenue and Jackson Street through the creation of a new 4-story, 69,000 square foot structure providing 35 units of artist housing for families earning 60% of Area Median Income and below, 35 underground parking spaces and 1,750 square feet of gallery and flexible community space. The building has been designed to provide all of the ingredients for effective and innovative artist live/work space utilizing several sustainable strategies.

Partnership: Artspace Jackson Flats LP

Contact Information:

Developer Contact:
Andrew Commers
Artspace
250 3rd Ave N Suite 500
Minneapolis, MN 55401-
Phone: (612) 465-0212 ext
Fax:
andrew.commers@artspace.org

Owner Contact:
Greg Handberg
Artspace
250 3rd Ave N Suite 500
Minneapolis, MN 55401-
Phone: (612) 465-0210 ext-
Fax:
greg.handberg@artspace.org

Consultant:

Contractor:
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Frana & Sons
633 2nd Ave S
Hopkins, MN 55343-
Phone: (952) 908-2664 ext-
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mbenedict@frana.com

Architect:
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Urban Works Architecture, LLC
901 North Third St Suite 145
Minneapolis, MN 55401-
Phone: (612) 455-3102 ext-
Fax: (612) 455-3199
nbly@urban-works.com

Property Manager:
To Be Determined
Phone: ext-
Fax:

Support Services:

CPED Coordinator:
Theresa Cunningham
CPED
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theresa.cunningham@ci.minneapolis.mn.us

CPED Legal:
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Fax: (612) 673-5112

CPED Support Coordinator
Susie Shepherd
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Fax: (612) 673-5259

CPED Rehab:
Duane Nygren
Phone: (612) 673-5249 ext-
Fax: (612) 673-5207

MPLS Affirmative Action

CPED MULTIFAMILY HOUSING DEPARTMENT
Affordable Housing Inventory Project Data Worksheet

Project Status

Proposed:	8/4/2010
Approved:	☑
Closed:	
Complete:	

Impaction
- (•) Non-Impacted
- ( ) Impacted

Occupancy
- (•) Rental
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- ☐ Single
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- ☐ Homeless

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UNIT COMPOSITION

UNIT	QTY
0BR	0
1BR	7
2BR	16
3BR	12
4+BR	0
TOT	35

UNIT AFFORDABILITY

UNIT	<30%	<50%	<60%	<80%	MKT
0BR	0	0	0	0	0
1BR	3	2	2	0	0
2BR	4	6	6	0	0
3BR	0	6	6	0	0
4+BR	0	0	0	0	0
TOT	7	14	14	0	0

Shelter Units: + Conversion Units:

Section 8:

USES AND PERMANENT SOURCES

Project Uses:

Land:	$811,800.00
Construction:	$5,571,250.00
Construction Contingency:	$262,500.00
Construction Interest:	$260,000.00
Relocation:	$0.00
Developer Fee:	$450,000.00
Legal Fees:	$85,000.00
Architect Fees:	$515,176.00
Other Costs:	$504,399.00
Reserves:	$165,533.00
Non-Housing:	$0.00
TDC:	$8,625,658.00
TDC/Unit:	$246,447.00

Project Permanent Sources:

Source / Program	Amount	%	Term	Committed
Met Council *TBRA*	$28,000.00			12/14/2011
Wells Fargo *1st Mortgage*	$1,775,000.00	7.16%	18 yrs 30 yrs	7/13/2011
CPED *AHTF (2011)*	$275,000.00			2/10/2012
Syndication Proceeds	$6,547,658.00			
50 CPED *LIHTC - $281,608 (2012)*				11/4/2011
51 CPED *LIHTC - $280,608 (2012) Transfer*				2/10/2012
52 CPED *LIHTC - $30,158 (2012) Per Cap Alloc*				2/10/2012
53 CPED (MHFA) *LIHTC - $127,707 (2012-MHFA)*				4/26/2012
TDC:	$8,625,658.00			

Financing Notes:

Interim site assembly funds provided by:

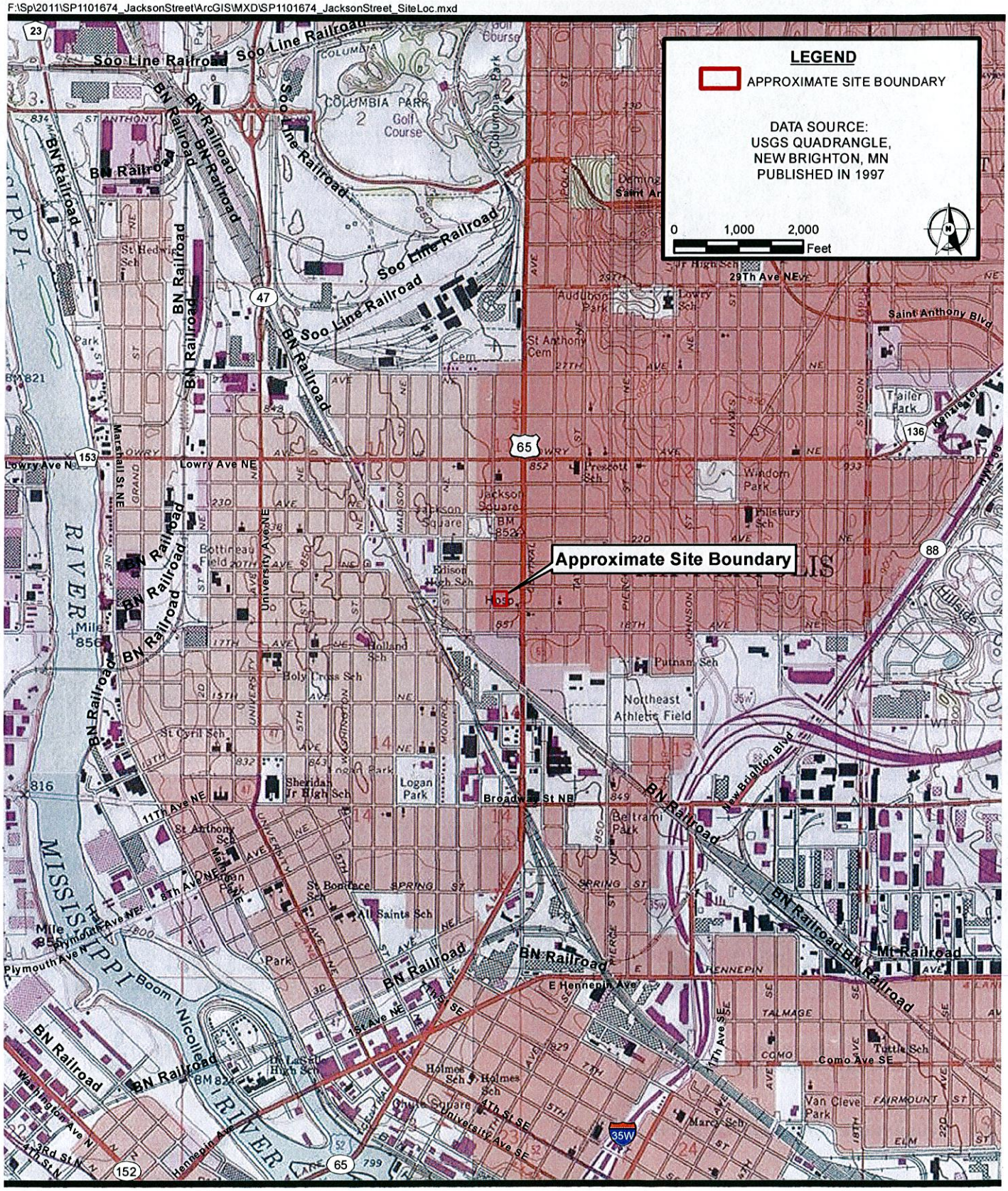
- Wells Fargo ($225,000)
- GMHC ($725,000)
- LISC ($100,000)

Total Site Assembly Cost ($1,050,000)

Funders will be paid off at closing.

Relocation expenses were provided by CPED. Actual amounts & recipient information is protected.

F:\Sp\2011\SP1101674_JacksonStreet\ArcGIS\MXD\SP1101674_JacksonStreet_SiteLoc.mxd



Sheet: 1 of 1

Fig. 1

Project No:	SP1101674
Drawing No.	SP1101674
Scale:	1 in = 2,000 ft
Drawn By:	FER
Date Drawn:	5/26/11
Checked By:	JMJ
Last Modified:	6/10/11

SITE LOCATION MAP
ARTSPACE JACKSON FLATS
1843 JACKSON STREET NORTHEAST
MINNEAPOLIS, MINNESOTA

BRAUN INTERTEC
11001 Hampshire Avenue So.
Minneapolis, MN 55438
PH. (952) 995-2000
FAX (952) 995-2020

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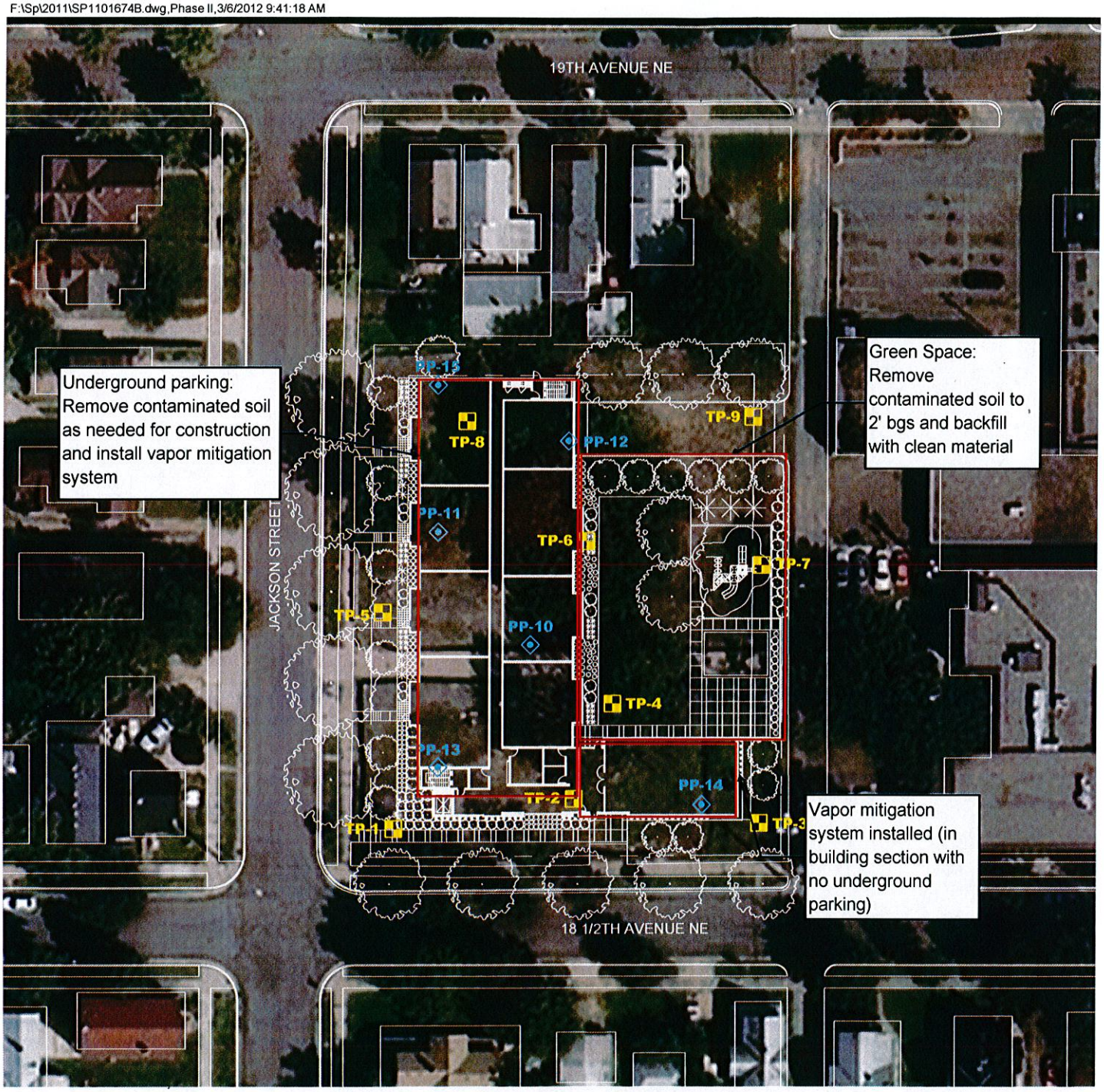

APPROXIMATE TEST PIT LOCATION

PUSH PROBE SOIL BORING LOCATION

30' 0 60'

SCALE: 1"= 60'

Sheet of

Fig: 3

Project No:	SP1101674B
Drawing No:	SP1101674B
Scale:	1"= 60'
Drawn By:	JAG
Date Drawn:	2/21/12
Checked By:	KS
Last Modified:	3/6/12

Proposed Site Remediation Plan
Response Action Plan
JACKSON STREET NE AND 18 1/2TH AVENUE NE
MINNEAPOLIS, MINNESOTA

BRAUN INTERTEC
11001 Hampshire Avenue So.
Minneapolis, MN 55438
PH. (952) 995-2000
FAX (952) 995-2020

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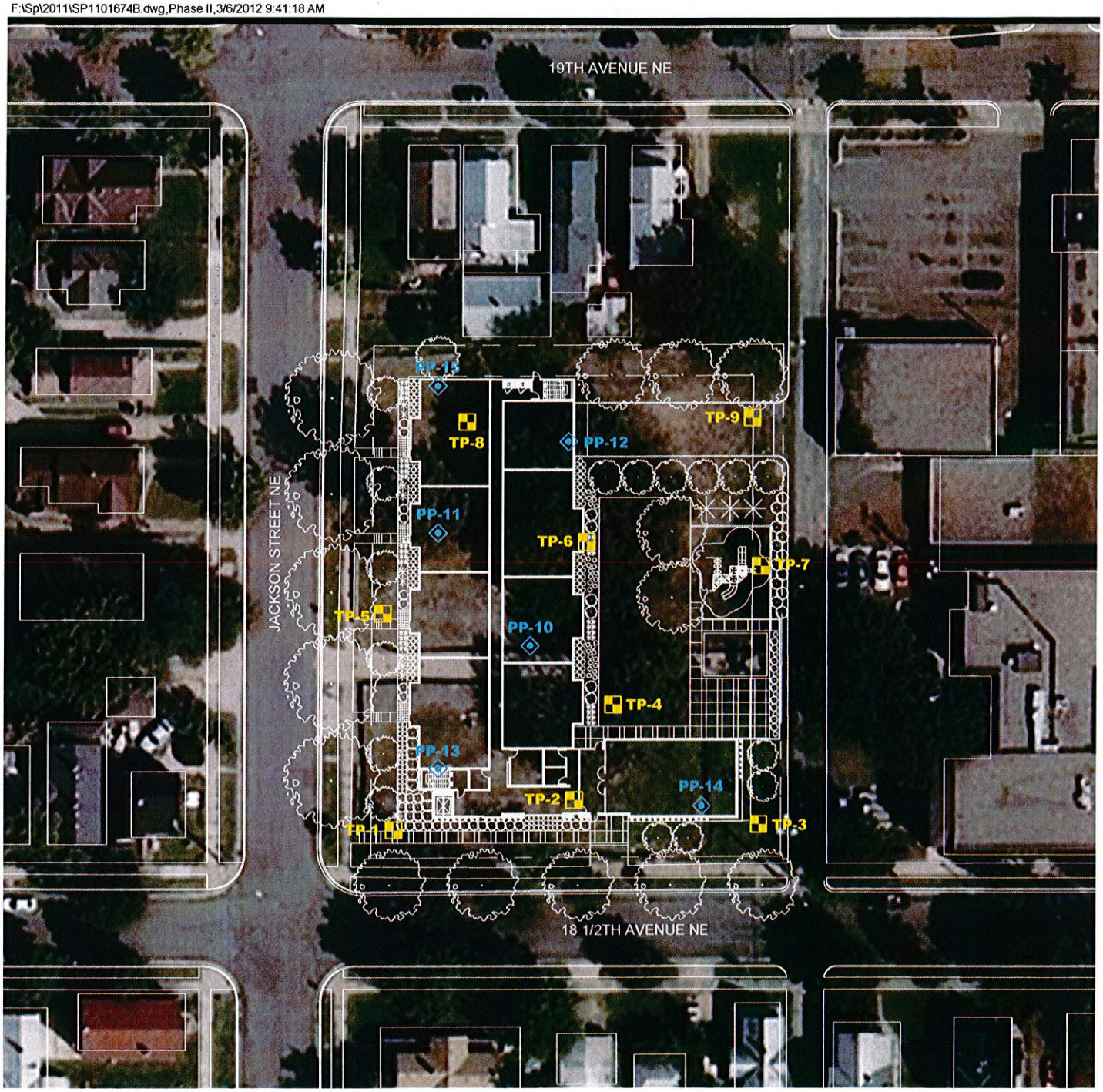


APPROXIMATE TEST PIT LOCATION

PUSH PROBE SOIL BORING LOCATION

N

30' 0 60'

SCALE: 1"= 60'

Sheet: of

Fig:

Project No: SP1101674B	
Drawing No: SP1101674B	
Scale:	1"= 60'
Drawn By:	JAG
Date Drawn:	2/21/12
Checked By:	KS
Last Modified:	3/6/12

CONCEPTUAL SITE PLAN
PHASE II ENVIRONMENTAL SITE ASSESSMENT
ARTSPACE JACKSON FLATS
JACKSON STREET NE AND 18 1/2TH AVENUE NE
MINNEAPOLIS, MINNESOTA

BRAUN INTERTEC
11001 Hampshire Avenue So.
Minneapolis, MN 55438
PH. (952) 995-2000
FAX (952) 995-2020

ATTACHMENT 2

SHPO Letter

Minnesota
Historical Society

STATE HISTORIC PRESERVATION OFFICE
ATTN: REVIEW AND COMPLIANCE
345 KELLOGG BLVD W, LEVEL A
ST. PAUL, MN 55102

August 23, 2012

Mr. Matthew Bower
IGR-Grants and Special Projects
City of Minneapolis
Room 307M City Hall
350 South 5th Street
Minneapolis MN 55415

RE: Construction of Artspace Jackson Flats, 901 18 ½ Avenue NE
Minneapolis, Hennepin County
SHPO Number: 2012-2598

Dear Mr. Bower:

Thank you for the opportunity to comment on the above project. It has been reviewed pursuant to the responsibilities given to the State Historic Preservation Officer by the National Historic Preservation Act of 1966 and implementing federal regulations at 36 CFR 800.

Based on available information, we conclude that **no properties** listed in or eligible for the National Register of Historic Places will be affected by this project.

Please contact our Compliance Section at (651) 259-3455 if you have any questions regarding our review of this project.

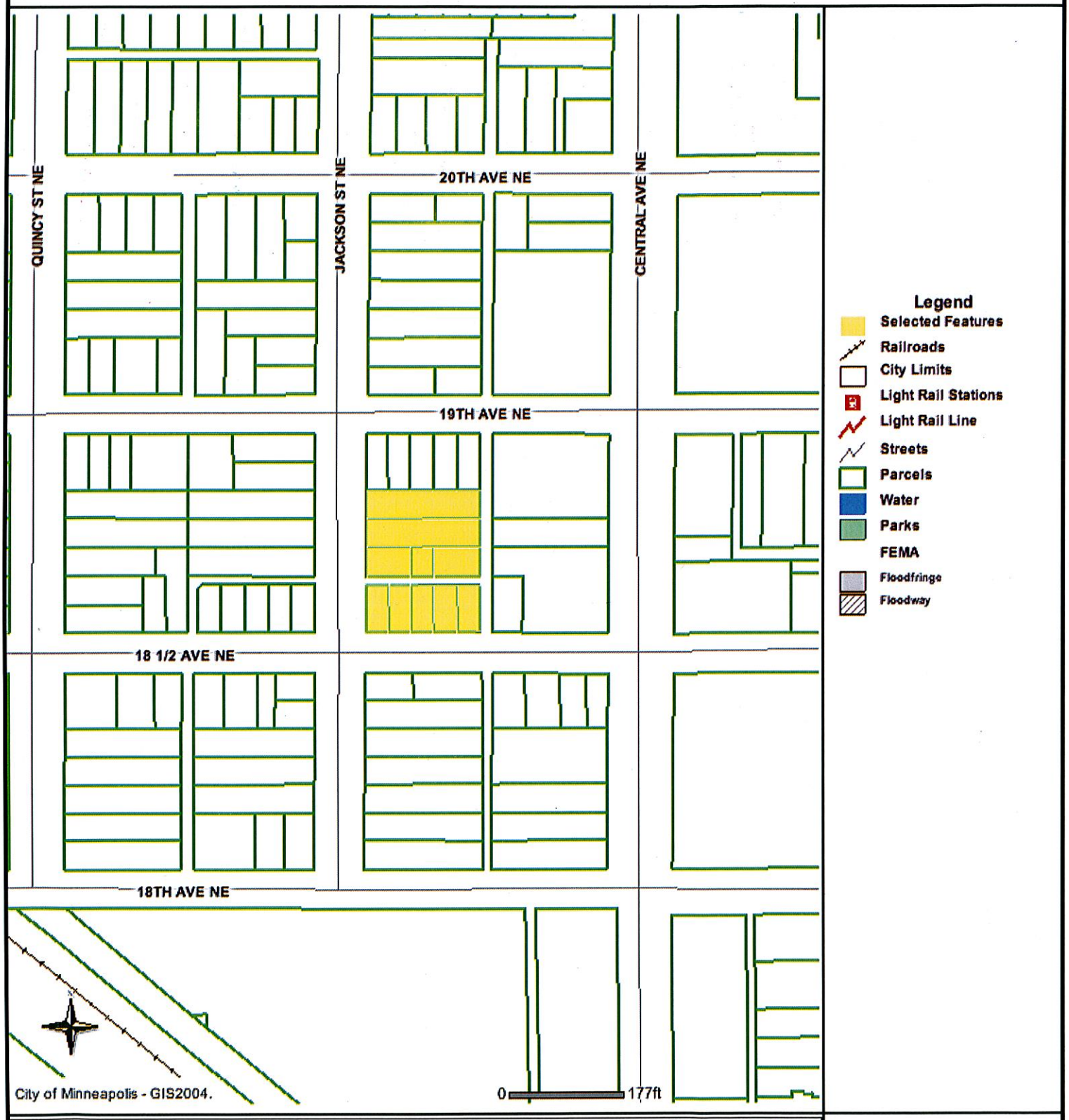
Sincerely,

Mary Ann Heidemann
Manager, Government Programs and Compliance

ATTACHMENT 3

Flood Insurance Rate Map

Jackson Flats - FEMA 100/500 yr floodplains



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GIS Business Services
331 2nd Ave. S. Ste. 220
Minnneapolis, MN 55401
612-673-2040

ATTACHMENT 4

Wetland Map

U.S. Fish and Wildlife Service

National Wetlands Inventory

Artspace Jackson Flats

Jul 30, 2012

Wetlands

- Freshwater Emergent
- Freshwater Forested/Shrub
- Estuarine and Marine Deepwater
- Estuarine and Marine
- Freshwater Pond
- Lake
- Riverine
- Other

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

User Remarks:

ATTACHMENT 5

MN DNR Letter Request

Minnesota Department of Natural Resources
Division of Ecological and Water Resources, Box 25
500 Lafayette Road
St. Paul, Minnesota 55155-4025
Phone: (651) 259-5109 E-mail: lisa.joyal@state.mn.us

September 17, 2012 **Correspondence # ERDB 20130067**

Mr. Jacob Steen
City of Minneapolis, CPED-Planning Division
250 South 4th Street, Room 300
Minneapolis, MN 55404

RE: Natural Heritage Review of the proposed Jackson Flats;
T29N R24W Section 11; Hennepin County

Dear Mr. Steen,

As requested, the Minnesota Natural Heritage Information System (NHIS) has been queried to determine if any rare species or other significant natural features are known to occur within an approximate one-mile radius of the proposed project. Based on this query, there are no known occurrences of rare features in the area searched.

The Natural Heritage Information System, a collection of databases that contains information about Minnesota's rare natural features, is maintained by the Division of Ecological and Water Resources, Department of Natural Resources. The NHIS is continually updated as new information becomes available, and is the most complete source of data on Minnesota's rare or otherwise significant species, native plant communities, and other natural features. However, the NHIS is not an exhaustive inventory and thus does not represent all of the occurrences of rare features within the state. Therefore, ecologically significant features for which we have no records may exist within the project area.

For environmental review purposes, the results of this Natural Heritage Review are valid for one year; the results are only valid for the project location (noted above) and project description provided on the NHIS Data Request Form. Please contact me if project details change or if an updated review is needed.

Please note that locations of the gray wolf (*Canis lupus*), state-listed as special concern, and the Canada lynx (*Lynx canadensis*), federally-listed as threatened, are not currently tracked in the NHIS. As such, the Natural Heritage Review does not address these species.

Furthermore, the Natural Heritage Review does not constitute review or approval by the Department of Natural Resources as a whole. Instead, it identifies issues regarding known occurrences of rare features and potential effects to these rare features. Additional rare features for which we have no data may be present in the project area, or there may be other natural resource concerns associated with the proposed project. For these concerns, please contact your DNR Regional Environmental Assessment Ecologist (contact information available at http://www.dnr.state.mn.us/eco/ereview/erp_regioncontacts.html). Please be aware that additional site assessments or review may be required.

Thank you for consulting us on this matter, and for your interest in preserving Minnesota's rare natural resources. An invoice will be mailed to you under separate cover.

Sincerely,

Lisa Joyal

Lisa Joyal
Endangered Species Review Coordinator

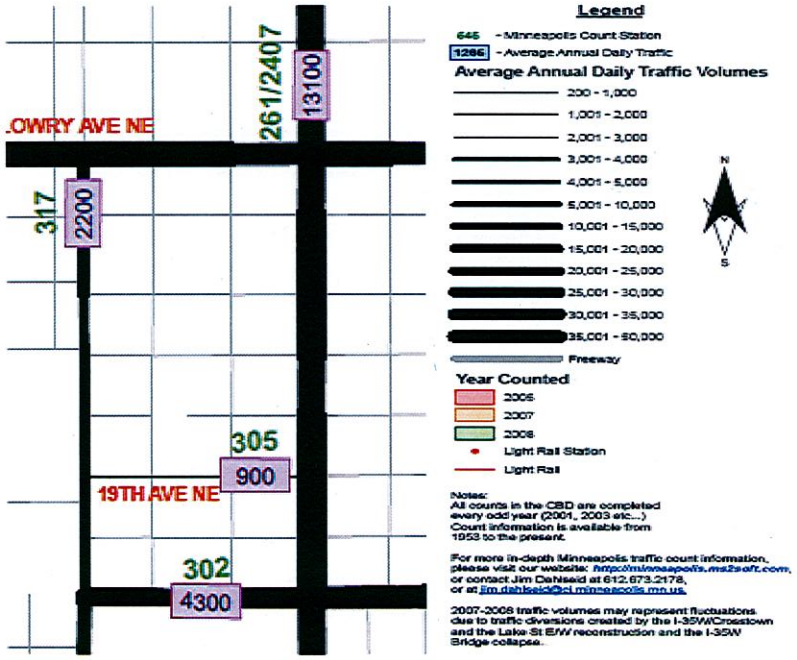
ATTACHMENT 6

Noise Assessment

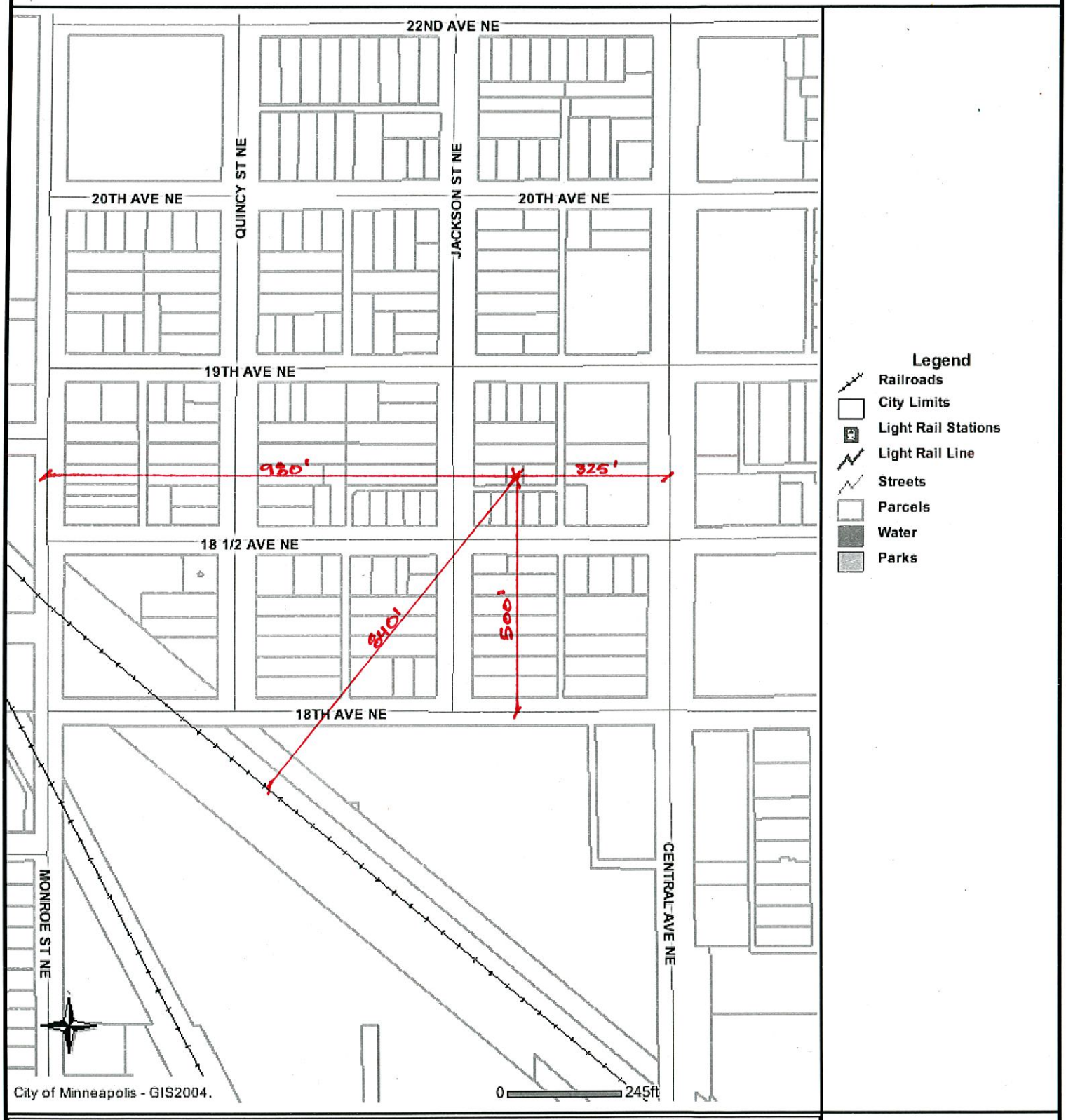
Jackson Flats: Average Daily Traffic (ADT) Counts

- **Central Avenue:** The street, which is located 325 feet east of the Noise Assessment Location (NAL), has a Total Average Daily Traffic (ADT) of approximately 12270 vehicles (2008 figures) in the vicinity of the NAL. The street is a Trunk Highway (TH) road and a truck route. The Minneapolis Public Works Department estimates that trucks constitute 3-5% of all traffic on TH roadways.
- **18th Ave NE:** The street, located 500 feet from the Noise Assessment Location (NAL), has a Total Average Daily Traffic (ADT) of approximately 4,300 vehicles (2008 figures) in the vicinity of the NAL. The street is a Minnesota State Aid (MSA) road and a truck route. The Minneapolis Public Works Department estimates that trucks constitute 3-5% of all traffic on MSA roadways
- **Monroe St NE:** The street, located 980 feet from the Noise Assessment Location (NAL), has a Total Average Daily Traffic (ADT) of approximately 3,000 vehicles (2008 figures) in the vicinity of the NAL. The street is a County State Aid (CSA) road and a truck route. The Minneapolis Public Works Department estimates that trucks constitute 3-5% of all traffic on CSA roadways.

VEHICULAR TRAFFIC FLOW
2006-2008 AVERAGE ANNUAL DAILY TRAFFIC
CITY OF MINNEAPOLIS, DEPARTMENT OF PUBLIC WORKS, TRAFFIC AND PARKING SERVICES DIVISION



Jackson Flats



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GIS Business Services
331 2nd Ave. S. Ste. 220
Minnneapolis, MN 55401
612-673-2040

Version 1.003 10/7/91

1-2-3 WORKSHEET FOR HUD'S NOISE ASSESSMENT GUIDELINES

TO USE THIS WORKSHEET FOLLOW THESE SIMPLE INSTRUCTIONS:

1. TO ENTER PROJECT DATA PRESS "ALT" I and USE RIGHT ARROW KEY
   TO ENTER ROAD DATA PRESS "ALT" A and USE RIGHT ARROW KEY
   TO ENTER RAIL DATA PRESS "ALT" T and USE RIGHT ARROW KEY
2. WHEN EACH DATA ENTRY IS COMPLETED PRESS {ESC} {F9} TO END DATA ENTRY AND CALCULATE WORKWHEET
3. TO PRINT WORKSHEET PRESS "ALT" P
4. TO RETURN TO THESE INSTRUCTIONS PRESS {HOME}
5. TO MOVE AROUND THE WORKSHEET PRESS {F5} {F3} {F3} TO LIST THE RANGE NAMES YOU CAN SELECT
6. TO PRINT THESE INSTRUCTIONS PRESS "ALT" H
7. WHEN ENTERING NUMBERS AND WORDS TOGETHER (an address) PRECEDE THE NUMBER WITH '
8. ALIGN PRINTER PAPER AT PROPER POSITION PRIOR TO PRINTING
9. Press {F5} AIR to "goto" airport noise

CHOOSE THE APPROPRIATE WORKSHEET BY PRESSING F5 (GO TO) AND THE CORRESPONDING RANGE NAME

TITLE	RANGE NAME
SITE EVALUATION	SITE
AIRCRAFT NOISE	AIR
ROADWAY NOISE	ROAD
RAILWAY NOISE	RAIL
CTA NOISE	CTA
BARRIER	BAR

WORKSHEET A - SITE EVALUATION

17-Sep-12

Site Location _____

Program _____

Project Name _____

Locality _____

File Number _____

Sponsor's Name _____ Phone _____

Street Address _____ City/St. _____

	Acceptability Category (Circle One)	CURRENT DNL	FUTURE DNL	Year Predicted
1. Roadway Noise:	A NU U	60	60	2014
2. Aircraft Noise:	A NU U	0	0	0
3. Railway Noise:	A NU U	62	62	_____
Combined DNL		64.49	64.56	2014

FINAL SITE EVALUATION: X ACCEPTABLE

_ NORMALLY UNACCEPTABLE (65-75dB)

_ UNACCEPTABLE

_ dB MINIMUM ATTENTUATION FOR FIGURE 19 REQUIRED.

Signature _____ Date _____

15-Apr WORKSHEET B
AIRCRAFT NOISE

List all Airports within 15 miles of site:
1.
2.
3.

Necessary Information:	AIR 1	AIR 2	AIR 3
1. Are DNL, NEF or CNR contours available?			
2. Any supersonic aircraft operations?			
3. Estimating approximate contours from Figure 3(DNL>65):			
a. number of nightime jet operations projected	0	0	0
b. number of daytime jet operations projected	0	0	0
c. effective number of operations	0	0	0
projected	0	0	0
d. distance A for 65 dB (PROJECTED)	0	0	0
70 dB	0	0	0
75 dB	#NUM!	#NUM!	#NUM!
distance A for 65 dB (CURRENT)	0	0	0
70 dB	0	0	0
75 dB	#NUM!	#NUM!	#NUM!
e. distance B for 65 dB (PROJECTED)	0	0	0
70 dB	0	0	0
75 dB	0	0	0
distance B for 65 dB (CURRENT)	0	0	0
70 dB	0	0	0
75 dB	0	0	0
4. Estimating DNL from Table 2: (If DNL<65 after contours are drawn)			
a. distance for 65 dB contour to flight path, D1			
b. distance from NAL to flight path, D2			
c. D2 divided by D1	#DIV/0!	#DIV/0!	#DIV/0!
d. DNL	#DIV/0!	#DIV/0!	#DIV/0!
5. Operations Data Is For What Year?			
Operations Projected To What Year?			
Growth Rate in %/yr.			
6. Interpolations if within map contours			
a. Between 65 & 70			
i. distance to 65 contour			
ii. distance to 70 contour			
iii. DNL	0	0	0
b. Between 75 & 70			
i. distance to 70 contour			
ii. distance to 75 contour			
iii. DNL	0	0	0
7. Summary of Airport DNL			
8. Total DNL from all airports		4.8	

Signed _____ Date _____

18.1 18.1 18.1

WORKSHEET C - ROADWAY NOISE

List all major Roads within 1000 feet of site:
1. Central Avenue
2. Eighteenth Ave NE
3. Monroe St NE
4. _____

		ROAD 1	ROAD 2	ROAD 3	ROAD 4
1. Distance in feet from the NAL to the edge of the road					
a. nearest lane					
b. farthest lane					
c. average		325	500	980	0
2. Distance to Stop Sign (If no Sign enter 1000)		1000	490	987	0
3. Road Gradient in percent (.xx)		0.00	0.00	0.00	0.00
4. Average speed in mph					
a. autos		30	30	30	_____
b. heavy trucks - uphill		30	30	30	_____
c. heavy trucks - downhill		30	30	30	_____
5. Auto ADT					
a. auto	(data)	12270	4300	3000	0
	(projected)	13025	4300	3000	0
b. medium trucks	(data)	0	0	0	0
	(projected)	0	0	0	0
c. effective ADT	(data)	12270	4300	3000	0
	(projected)	13025	4300	3000	0
6. Truck ADT					
a. uphill	(data)	491	172	120	_____
(or total)	(projected)	521	172	120	0
b. downhill	(data)				_____
	(projected)	0	0	0	0
c. buses					_____
d. total	(data)	491	172	120	0
	(projected)	521	172	120	0
7. Fraction of nightime traffic (10 PM to 7AM)		15%	15%	15%	_____
8. Traffic Data Is For What Year?		2008	0	0	_____
Traffic Projected To What Year?		2014	0	0	_____
Growth Rate in %/yr. (as a whole #)		1.00	1.00	1.00	_____

		ROAD 1	ROAD 2	ROAD 3	ROAD 4
AUTO DNL	Current	51.7	43.5	38.4	#NUM!
	Future	51.9	43.5	38.4	#NUM!
TRUCK DNL	Current	58.1	53.2	44.8	#NUM!
	Future	58.3	53.2	44.8	#NUM!
COMBINED Trucks & Cars	Current	58.9	53.7	45.7	0.0
	Future	59.2	53.7	45.7	0.0

Roads 1 & 2	Current	60.1
	Future	60.3
Roads 3&4	Current	45.7
	Future	45.7
Roads 1, 2 & 3	Current	60.2
	Future	60.4
Roads 1,2,3 & 4	Current	60.2
	Future	60.4

		ROAD 1	ROAD 2	ROAD 3	ROAD 4
Auto LAE		56.46	53.66	49.27	#NUM!
	Current	-4.80	-10.14	-10.92	#NUM!
	Future	-4.54	-10.14	-10.92	#NUM!
Trucks uphill		76.82	74.02	69.63	#NUM!
	Current	-18.78	-20.78	-24.90	#NUM!
	Future	-18.52	-20.78	-24.90	#NUM!
downhill		76.82	74.02	69.63	#NUM!
	Current	-45.69	-45.69	-45.69	-49.40
	Future	-45.69	-45.69	-45.69	-49.40

TRUCK ADJUSTED ADT

uphill	Current	491	309.6	120	0
	Future	521	310	120	0
Stop & Go	Current	491	309.6	120	0
	Future	521	310	120	0
gradient		1	1	1	1
downhill stop & Go	Current	0	0	0	0
	Future	0	0	0	0

SPEED ADJUSTMENT

WORKSHEET D - RAILWAY NOISE (FOR CTA NOISE GO TO CTA)

List All Railways within 3000 feet of the site:

1. BNSF Railway
2.
3.

Necessary Information	Railway1	Railway2	Railway3
1. Distance in feet from NAL to the railway track	840		
2. Number of trains in 24 hrs:			
a. diesel	54		
b. electrified	0.0001		
3. Fraction of operations occuring at night (10PM-7AM)	38%	(enter as a decimal: .xx)	
4. Number of diesel locomotives per train:	1		
5. Number of rail cars per train:			
a. diesel trains	110		
b. electrified trains	0.0001		
6. Average Train speed:	45		
7. Is track welded(1) or bolted(2)?	2		
8. Are whistles or horns required for grade crossings? (Yes=1, No=2)	2		

	RAILWAYS 1	2	3
DIESEL LOCOMOTIVE DNL	55.7	#NUM!	#NUM!
RAILWAY CAR DNL	61.4	#NUM!	#NUM!
ELECTRIC RAILWAY CAR DNL	-56.3	#NUM!	#NUM!
COMBINED EACH RAILWAY	62.4	0.0	0.0
RAILWAYS 1 & 2	62.4		
RAILWAYS 2 & 3	0.0		
RAILWAYS 1,2, & 3	62.4		
RAILWAYS & CTA	62.4		

	RAILWAYS 1	2	3
DIESEL CALCULATIONS			
LAE =	81.3	#NUM!	#NUM!
WHISTLES	1.0	0.0	0.0
RAILWAY CARS CALCULATIONS/ADJUSTMENTS			
WHISTLES	0.0	0.0	0.0
BOLTED RAIL ADJ	0.0	0.0	0.0
	440.0	0.0	0.0
LAE (ELEC)=	26.6	#NUM!	#NUM!
LAE (DIESEL)=	87.0	#NUM!	#NUM!

CTA NOISE

List All CTA Lines within 3000 feet of the site:

1.
2.
3.

Necessary Information	Railway1	Railway2	Railway3	
1. Number of trains in 24 hrs:				#NUM!
				#NUM!
2. Wayside Noise (From Map & Chart)				#NUM!
3. Fraction of operations occuring at night (10PM-7AM)				
4. Average Train speed:				0.0

ATTACHMENT 7

Phase I Environmental Site Assessment (Executive Summary)

Phase I Environmental Site Assessment

Jackson Street Arts Housing
Jackson Street Northeast and 18 1/2 Avenue Northeast
Minneapolis, Minnesota

Prepared For

Northeast Community Development Corporation

Project BL-06-03104
August 11, 2006

Braun Intertec Corporation

Executive Summary

Braun Intertec performed a Phase I environmental site assessment of Jackson Street Arts Housing located at Jackson Street Northeast and 18 1/2 Avenue Northeast in Minneapolis, Minnesota (Site) in general conformance with the scope and limitations of ASTM Practice E 1527-00.

At the time of this assessment, the Site consisted of an approximate 0.72-acre developed lot. The Site included five two-story houses with basements, and one two-story, slab-on-grade house (913 18 1/2 Avenue Northeast), three garages, and associated paved parking and landscaped areas. The Site buildings located at 1843 Jackson Street Northeast and at 901, 905, 911, and 913 18 1/2 Avenue Northeast were occupied by renters at the time of this assessment. The Site building at 1847 Jackson Street Northeast was vacant, and the lot at 1839 Jackson Street Northeast was vacant.

This assessment has revealed no indications of recognized environmental conditions in connection with the Site with the exception of the following:

- Although these facilities are no longer undergoing active investigation or remediation, remaining groundwater contamination, if any, at the Eich Motors Property (1910-1918 Central Avenue Northeast) and the Former Minnesota Plating facility (1900 Central Avenue Northeast) appears to have a potential to impact groundwater at the Site. Based on the estimated depth to the groundwater table (15 feet) and the planned redevelopment of the Site, there is a potential to encounter contaminated groundwater during excavations or installations of utilities associated with the redevelopment. The handling and disposition of the contaminated groundwater would be subject to government environmental rules and regulations.

Additionally, a Hazardous Materials Assessment should be conducted on the Site buildings for inspection of asbestos and lead-based paint, prior to renovation or demolition of the buildings, to limit the potential for releases of hazardous substances (including asbestos-containing materials).

ATTACHMENT 8

City Planning Commission Approvals (BZZ-5357)

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permits, Variances, Site Plan Review and Alley Vacation
BZZ – 5357 & Vac – 1545

Date: November 14, 2011

Applicant: Artspace Projects Inc.

Address of Property: 901, 905, 907, 907 ½, 911, 911 ½ & 913 18 ½ Avenue Northeast and 1839, 1843 & 1847 Jackson Street Northeast

Project Name: Jackson Flats

Contact Person and Phone: Jeffrey Schoeneck, (612) 455-3105

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

Date Application Deemed Complete: September 30, 2011

End of 60-Day Decision Period: November 29, 2011

Ward: 1 **Neighborhood Organization:** Logan Park

Existing Zoning: R4 Multiple-Family Residence District

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 10

Legal Description: Not applicable for this application

Proposed Use: Multi-family dwelling with 35 units.

Concurrent Review:
- Conditional use permit to allow 35 dwelling units.
- Conditional use permit to allow a home occupation within a specific area of the building designated for such use.
- Variance to reduce the front yard requirement adjacent to 18 ½ Avenue Northeast to allow a walkway and stairs exceeding 6 feet in width and a landing exceeding 36 square feet in area.
- Variance to reduce the minimum parking requirement by one space.
- Site plan review.
- Alley vacation (east/west portion only).

Applicable zoning code provisions: Chapter 525, Article VII Conditional Use Permits; Chapter 525, Article IX Variances, specifically section 525.520 (1) To vary the yard requirements, including permitting obstructions into required yards not allowed by the applicable regulations and (6) To vary the

applicable minimum and maximum number of required off-street parking, stacking or loading spaces.; and Chapter 530, Site Plan Review.

Background: The applicant proposes to construct a new 4-story multiple family dwelling with 35 units at the northeast corner of 18 ½ Avenue Northeast and Jackson Street Northeast. The site is currently vacant. A multifamily dwelling with 5 or more units in the R4 district is a conditional use. The proposed housing development is being marketed to artists. The building will have common spaces that would also function as a studio and art gallery for the resident artists. When an occupation or profession carried on by a member of the household residing on the premises is conducted as a customary, incidental and accessory use of a dwelling, it is classified as a home occupation by the zoning code. Home occupations (also referred to as live/work) are allowed accessory to a dwelling, subject to the provisions of Chapter 535, Regulations of General Applicability. One of the home occupation standards of Chapter 535 requires that the home occupation only be conducted within an enclosed area of the dwelling. However, beginning in the R4 zoning district, in multiple-family dwellings of five or more units the home occupation may be allowed within a specific area of the principal building designated for such home occupation by conditional use permit. Upon approval of a conditional use permit, the action must be recorded with Hennepin County as required by state law. A 15 foot wide front yard is required adjacent to 18 ½ Avenue. Walkways, stairs, and landings are permitted obstructions in a required front yard provided walkways and stairs do not exceed 6 feet in width and landings do not exceed 36 square feet in area. The proposed walkway and stairs would be 16 feet in width and the landing would be 184 square feet in area. A variance is needed to increase the size of these obstructions. The minimum parking requirement for the development is 32 spaces. Thirty-one spaces would be provided on-site. A variance is required to reduce the minimum parking requirement. Site plan review is required for any new use with 5 or more dwelling units. Vacation of the east/west alley is required to allow the building location as proposed. The applicant is requesting to vacate that part of the alley between Jackson Street and the east lot lines of Lots 1 and 10.

As of the writing of this report, staff has not received any correspondence from the neighborhood group. Staff will forward comments, if any are received, at the City Planning Commission meeting.

CONDITIONAL USE PERMIT: to allow 35 dwelling units.

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.**

   Construction of a multifamily residential building of four stories with 35 dwelling units on the site would not prove detrimental to public health, safety, comfort or general welfare provided the development complies with all applicable building codes and life safety ordinances as well as Public Works Department standards.

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.**

   In the immediate area, there is a mix of low to high-density residences and commercial uses. The adopted plan for the area and *The Minneapolis Plan for Sustainable Growth* anticipate and promote the redevelopment of this site for a medium-density, arts oriented residential use. The site is currently vacant. The development of this site for a residential use should have a positive effect on surrounding properties.

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

   The site would be served by existing infrastructure. Vehicle access would be from the alley. The Public Works Department has reviewed the project for appropriate drainage and stormwater management as well as to ensure the safety of the position and design of improvements in or over the public right of way.

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

   The minimum parking requirement for the proposed development is 32 spaces. The applicant is proposing 31 vehicle parking spaces and is requesting a variance to reduce the requirement by one space. Secure bicycle parking at one space per dwelling unit (twice the minimum required) would be provided for the residents. The site is within three blocks of two designated bicycle routes. High frequency transit is also available on Central Avenue, which is located one-half block from the subject site. There are many neighborhood serving retail sales and services uses within convenient walking distance as well. Because the site is located in a walkable/bikeable neighborhood, one bicycle space per dwelling unit would be provided and the site is in close proximity to a high frequency bus route, staff is recommending approval of the parking variance. The development should have little effect on congestion in the streets.

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

   The future land use designation of the site is urban neighborhood in *The Minneapolis Plan for Sustainable Growth*. The site is located one-half block from Central Avenue, which is designated as a commercial corridor. The following principals and policies apply to this proposal:

   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.

   Applicable Implementation Step

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

Policy 1.10: Support development along Commercial Corridors that enhances the street's character, fosters pedestrian movement, expands the range of goods and services available, and improves the ability to accommodate automobile traffic.

Applicable Implementation Step

1.10.6 Encourage the development of medium-density housing on properties adjacent to properties on Commercial Corridors.

Policy 3.1: Grow by increasing the supply of housing.

Applicable Implementation Step

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

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

Applicable Implementation Step

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

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

Applicable Implementation Step

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

The *Central Avenue Small Area Plan* was adopted by the City Council in 2008. The plan recommends medium density housing of urban oriented development intensity, such as townhomes, small apartments and live/work, with a height of 4 to 5 stories (maximum of 56 feet) on the site.

Staff comment: The proposed use would be consistent with the applicable policies of the comprehensive plan and the small area plan.

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 proposed use will conform to the applicable regulations of the district in which it is located upon the approval of the conditional use permits, variances, site plan review and alley vacation.

CONDITIONAL USE PERMIT: to allow a home occupation within a specific area of the building designated for such use.

Findings as required by the Minneapolis Zoning Code for the conditional use permit:

The Community Planning and Economic Development Planning Division has analyzed the application and from the findings below 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 home occupation location should not prove detrimental to public health, safety, comfort or general welfare provided the use complies with all applicable building codes and life safety ordinances.

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 home occupation would be related to artistic pursuits including, but not necessarily limited to, visual and performance creation and/or practicing. The applicant has indicated that these spaces would not be used for welding or any other uses prohibited by City ordinances. The shared studio and gallery spaces would be located in common areas (lobby and community room) accessible by all residents of the building. The location outside of the dwelling units should have no effect on surrounding properties.

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

   The site would be served by existing infrastructure. Vehicle access would be from the alley. The Public Works Department has reviewed the project for appropriate drainage and stormwater management as well as to ensure the safety of the position and design of improvements in or over the public right of way.

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

   As per section 535.450 (13) of the zoning code, the home occupation cannot generate excessive customer or client traffic that is detrimental to the residential character of surrounding properties or the neighborhood. For purposes of this provision, more than five customers or clients per day may be determined to be an excessive and detrimental level of traffic. This number applies per dwelling unit, regardless of the number of home occupations. The factors used for such a determination include but are not limited to:

   a. The characteristics of the neighborhood, including land uses, lot sizes and lot widths.

   b. Street type, width and traffic volumes.

c. The availability and location of off-street parking and the extent to which the home occupation contributes to on-street parking congestion.

In the immediate area, there is a mix of low to high-density residences and commercial uses located on various sized lots. The subject site is located one-half block from Central Avenue, which is a main thorough-fare. High frequency transit is also available on Central Avenue. There are no significant on-street parking restrictions in the surrounding area. Because the development is marketed to artists with live/work opportunities, it is likely that more than one home occupation will exist in the building. Parking is provided on-site for the residents. The shared studio and gallery spaces would be located in common areas (lobby and community room) accessible by all residents of the building. Allowing some functions of the home occupations to occur outside of individual dwelling units in common areas of the buildings should not increase traffic generation for the proposed home occupations.

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

The future land use designation of the site is urban neighborhood in *The Minneapolis Plan for Sustainable Growth.* The site is located one-half block from Central Avenue, which is designated as a commercial corridor. The following principals and policies apply to this proposal to allow a home occupation within a specific area of the building designated for such use:

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

Applicable Implementation Step

1.1.5 Ensure that land use regulations continue to promote development that is compatible with nearby properties, neighborhood character, and natural features; minimizes pedestrian and vehicular conflict; promotes street life and activity; reinforces public spaces; and visually enhances development.

Policy 4.2: Promote business start-ups, retention and expansion to bolster the existing economic base.

Applicable Implementation Step

4.2.5 Encourage small business opportunities, such as appropriate home occupations and business incubators, in order to promote individual entrepreneurs and business formation.

The *Central Avenue Small Area Plan* encourages live/work with an orientation to the Arts District. It specifically references this project because it is a live/work housing project for local artists.

Staff comment: The shared studio and gallery spaces would be located in common areas (lobby and community room) accessible by all residents of the building. The location in the lobby and community room should have no effect on surrounding properties. The proposed use would be consistent with the applicable policies of the comprehensive plan and the small area plan.

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 proposed home occupation will conform to the applicable regulations of the district in which it is located upon the approval of the conditional use permits, variances, site plan review, and alley vacation to allow the proposed development.

In addition to the above conditional use standards, the planning commission shall consider, but not be limited to, the following factors (section 535.450(5)):

A. Nature of the home occupation and its impacts of noise, light, odor, vibration and traffic.

The home occupation would be related to artistic pursuits including, but not necessarily limited to, visual and performance creation and/or practicing. The applicant has indicated that these spaces would not be used for welding or any other uses prohibited by City ordinances.

B. Conformance with applicable zoning requirements, including but not limited to, yards, gross floor area, and specific development standards.

The proposed home occupation will conform to the applicable regulations of the district in which it is located upon the approval of the conditional use permits, variances, site plan review, and alley vacation to allow the proposed development.

C. History of complaints related to the property.

The site is currently vacant; therefore there is not a history of complaints related to the proposed multi-family dwelling.

VARIANCE: to reduce the front yard requirement adjacent to 18 ½ Avenue Northeast to allow a walkway and stairs exceeding 6 feet in width and a landing exceeding 36 square feet in area.

Findings as required by the Minneapolis Zoning Code:

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

The site has frontage on two streets. The main entrance of the building would face 18 ½ Street. The applicant is proposing a wider walkway and stairs and larger landing than allowed in order to emphasize it as the main entrance location and distinguish it from the individual dwelling unit entrances facing Jackson Street Northeast. For the main entrance, the proposed walkway and stair width is 16 feet and the proposed landing area, most of which would extend into the required front yard, is 184 square feet (11.5 feet deep by 16 feet wide). The *Central Avenue Small Area Plan* calls for transition to residential scale development on Jackson Street from mid-rise, mixed use buildings on Central Avenue. Low-density residences are located on the west side of Jackson Street. Because 18 ½ Avenue intersects with Central Avenue, a commercial corridor, and Jackson Street runs parallel to Central Avenue, it is more appropriate to have the main entrance closer to Central Avenue

and to have individual entrances facing Jackson Street. These circumstances are unique to the property and have not been created by the applicant.

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

   In general, yard controls are established to provide for the orderly development and use of land and to minimize conflicts among land uses by regulating the dimension and use of yards in order to provide adequate light, air, open space and separation of uses. Site plan review standards require that principal entrances are clearly defined and emphasized by architectural features. The site has frontage on two streets. The main entrance would face 18 ½ Avenue and individual unit entrances would face Jackson Street. Providing individual unit entrances, in addition to the main entrance, is part of meeting the small area plan goal to "creat[e] clear and predictable transitions between [Central] Avenue and the neighborhoods." The site has 175 feet of frontage on 18 ½ Avenue. Providing a larger approach to the main entrance distinguishes it from the other entrances. The proposed main entrance location would be adequately separated from surrounding properties. The request is reasonable and would be in keeping with the spirit and intent of the ordinance and the comprehensive plan.

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

   There is a mix of low to high-density residences and commercial uses in the immediate area. The subject site is located in an area that transitions from higher intensity uses adjacent to Central Avenue to a low-density neighborhood. The granting of the variances to allow a wider walkway and stairs and larger entrance landing would have little effect on surrounding properties. It would also not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

VARIANCE: to reduce the minimum parking requirement by one space.

Findings as required by the Minneapolis Zoning Code:

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

   The minimum parking requirement for the multifamily dwelling is 35 spaces (one space per unit). The development qualifies for a transit incentive to reduce the parking requirement of a multi-family dwelling by 10 percent because it is located within 300 feet of a transit stop with midday service headways of 30 minutes or less in each direction. Therefore the parking requirement is reduced to 32 spaces. The applicant would provide 31 spaces in an underground parking garage. Additional parking cannot fit in the excavated area under the building. Providing surface parking would reduce

the amount of green space on the site. There are many neighborhood serving retail sales and services uses within convenient walking distance from the site. High frequency transit is also available on Central Avenue, which is located one-half block from the subject site. The site is within three blocks of two designated bicycle routes. Although these are not circumstances unique to the parcel, the site's location and access to alternative modes of transportation reduces the need to provide additional parking.

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 purpose of parking regulations is to provide for the parking needs of uses and structures and to enhance the compatibility between parking areas and their surroundings. The site has convenient access to neighborhood serving retail sales and services uses and to alternative modes of transportation with frequent service. Also, secure bicycle parking at one space per dwelling unit (twice the minimum required) would be provided for the residents. Encouraging the use of alternative modes of transportation is in keeping with the spirit and intent of the ordinance and the comprehensive plan.

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

   Because multiple alternative transportation options are available in the immediate area and one bicycle parking space per dwelling unit would be provided, granting of the variance should not increase congestion in the area or effect surrounding properties. It would also 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

Findings as required by the Minneapolis Zoning Code for the site plan review:

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

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

Section A: Conformance with Chapter 530 of the Zoning Code

BUILDING PLACEMENT AND DESIGN:

- **Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.**

- **First floor of the building shall be located not more than eight (8) feet from the front lot line (except in C3S District or where a greater yard is required by the zoning ordinance). If located on corner lot, the building wall abutting each street shall be subject to this requirement.**
- **The area between the building and the lot line shall include amenities.**
- **The building shall be oriented so that at least one (1) principal entrance faces the public street. In the case of a corner lot, the principal entrance shall face the front lot line.**
- **Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.**
- **For new construction, the building walls shall provide architectural detail and shall contain windows as required by Chapter 530 in order to create visual interest and to increase security of adjacent outdoor spaces by maximizing natural surveillance and visibility.**
- **In larger buildings, architectural elements, including recesses or projections, windows and entries, shall be emphasized to divide the building into smaller identifiable sections.**
- **Blank, uninterrupted walls that do not include windows, entries, recesses or projections, or other architectural elements, shall not exceed twenty five (25) feet in length.**
- **Exterior materials shall be durable, including but not limited to masonry, brick, stone, stucco, wood, metal, and glass.**
- **The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.**
- **The use of plain face concrete block as an exterior material shall be prohibited fronting along a public street, public sidewalk, public pathway, or adjacent to a residence or office residence district.**
- **Entrances, windows, and active functions:**
  - **Residential uses:**
    Principal entrances shall be clearly defined and emphasized through the use of architectural features such as porches and roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Twenty (20) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:
    a. Windows shall be vertical in proportion.
    b. Windows shall be distributed in a more or less even manner.
  - **Nonresidential uses:**
    Principal entrances shall be clearly defined and emphasized through the use of architectural features such as roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Thirty (30) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:
    a. Windows shall be vertical in proportion.
    b. Windows shall be distributed in a more or less even manner.
    c. The bottom of any window used to satisfy the ground floor window requirement may not be more than four (4) feet above the adjacent grade.
    d. First floor or ground floor windows shall have clear or lightly tinted glass with a visible light transmittance ratio of 0.6 or higher.
    e. First floor or ground floor windows shall allow views into and out of the building at eye level. Shelving, mechanical equipment or other similar fixtures shall not block views into and out of the building in the area between four (4) and seven (7) feet above the adjacent grade. However, window area in excess of the minimum required area shall not be required to allow views into and out of the building.
    f. Industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, may provide less than thirty (30) percent windows on the walls that face an on-site parking lot, provided the parking lot is not located between the building and a public street, public sidewalk or public pathway.
    g. In multiple tenant buildings, each individual ground level tenant space that faces a public street, public sidewalk, public pathway, or on-site parking lot shall comply with the minimum window requirements of this section.

  Minimum window area shall be measured as indicated in section 530.120 of the zoning code.

- **Ground floor active functions:**
  Except for industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, the first floor or ground level of buildings shall be designed to accommodate active functions by ensuring that parking, loading, storage, or mechanical equipment rooms are limited to no more than thirty (30) percent of the linear building frontage along each wall facing a public street, public sidewalk, or public pathway.
  - **The form and pitch of roof lines shall be similar to surrounding buildings.**
- **Parking Garages: The exterior design shall ensure that sloped floors do not dominate the appearance of the walls and that vehicles are screened from view. In addition to compliance with minimum window requirements, principal and accessory parking garages shall comply with provisions requiring active functions on the ground floor. In the downtown districts, the more restrictive parking garage provisions of Chapter 549, Downtown Districts, shall apply.**

Conformance with above requirements:

A front yard is required adjacent to Jackson Street and 18 ½ Avenue. The minimum requirement for both front yards is 15 feet. The building would be set back 15.5 feet to 26 feet from the front lot line adjacent to Jackson Street. The building would be set back 16.5 feet to 28 feet from the front lot line adjacent to 18 ½ Avenue.

The area between the building and the front lot lines would be landscaped.

The main entrance would face 18 ½ Avenue.

All parking would be located within the building, below-grade.

The building design includes recesses and projections and windows on all levels to divide the building into smaller identifiable sections. Individual entrances for ground floor units facing Jackson Street would also be provided.

There would not be any blank, uninterrupted walls exceeding 25 feet in length, except on the south first floor elevation of the studio/community room. The area of the wall that does not have any windows, entries, recesses or projections, or other architectural elements is 28.5 feet in width. Staff is not aware of any reasons why additional architectural features could not be provided and is therefore recommending that alternative compliance not be granted.

The primary exterior materials would include brick (Norman), fiber cement board, and glass. Please note, exterior material changes at a later date would require review by the Planning Commission and an amendment to the site plan review.

All sides of the building would be compatible.

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

The main entrance facing 18 ½ Avenue would be recessed, flanked by large windows and sheltered by a canopy to emphasize its importance. The individual unit entrances facing Jackson Street would also be flanked by windows and sheltered by canopies.

The walls facing 18 ½ Avenue and Jackson Street are subject to the minimum window requirements. Twenty percent of the 18 ½ Avenue first floor elevation measured between two and ten feet is equal to 224 square feet. Approximately 22.5 percent of that wall area would be occupied by windows. Ten percent of each upper floor elevation facing 18 ½ Avenue is equal to 87.6 square feet. Approximately 13.5 percent of each upper floor wall would be occupied by windows. Twenty percent of the Jackson Street elevation measured between two and ten feet is equal to 294.4 square feet. Twenty percent of that wall area would be occupied by windows. Ten percent of each upper floor elevation facing Jackson Street is equal to 220.8 square feet. Approximately 22.5 percent of each upper floor wall would be occupied by windows. All windows would be distributed in an even manner and vertical in proportion.

More than 70 percent of the linear frontage of each ground floor building wall facing the adjacent streets would accommodate spaces with active functions.

A flat roof is proposed. The surrounding residences on secondary streets, primarily single- or two-family dwellings, have pitched roofs. Most of the buildings fronting Central Avenue have flat roofs.

ACCESS AND CIRCULATION:

- **Clear and well-lighted walkways of at least four (4) feet in width shall connect building entrances to the adjacent public sidewalk and to any parking facilities located on the site.**
- **Transit shelters shall be well lighted, weather protected and shall be placed in locations that promote security.**
- **Vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and surrounding residential uses.**
- **Traffic shall be directed to minimize impact upon residential properties and shall be subject to section 530.150 (b) related to alley access.**
- **Site plans shall minimize the use of impervious surfaces.**

Conformance with above requirements:

The main building entrances would be connected to the public sidewalks with walkways that would be at least four feet in width.

A transit shelter is not adjacent to the site.

The on-site parking would be accessed from the alley. Public Works has reviewed the driveway slope and location in proximity to the alley. The vehicle access should have minimal impact on pedestrians and surrounding residential properties.

The maximum impervious surface coverage allowed in the R4 district is 85 percent. The lot area is 37,648 square feet, therefore 32,000 square feet of impervious surface is allowed. The proposed amount of impervious surface is approximately 19,262 square feet, which covers 51.2 percent of the site. The amount of impervious surface would not be excessive.

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.**

Conformance with above requirements:

The zoning code requires that a least 20 percent of the site not occupied by buildings be landscaped. The lot area of the site is approximately 37,648 square feet. The building footprint would be approximately 14,778 square feet. The lot area minus the building footprints therefore consists of approximately 22,870 square feet. At least 20 percent of the net site area (4,574 square feet) must be landscaped. Approximately 18,386 square feet of the site would be landscaped. That is equal to 80.4 percent of the net lot area.

The zoning code requires at least one canopy tree for each 500 square feet of required green space and at least one shrub for each 100 square feet of required green space. The tree and shrub requirement for this site is 10 and 46 respectfully. The applicant would provide 6 deciduous canopy trees and 58 shrubs on-site. In lieu of providing the 4 other canopy trees, the applicant would provide 3 coniferous trees and 16 ornamental trees. Canopy trees would also be planted in the Jackson Street and 18 ½ Avenue boulevards. The proposed landscaping plan provides seasonal interest and diversity of plant types that helps define the transition from a commercial corridor to a residential neighborhood. With the alternatives proposed, staff is recommending that the planning commission grant alternative compliance to allow 6 canopy trees on-site instead of 10.

The remainder of the landscaped area would be covered with sod, perennials and ornamental grasses.

ADDITIONAL STANDARDS:

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

Conformance with above requirements:

Continuous concrete curbing would be provided along the driveway leading to the below-grade parking garage. Run-off from the driveway would flow to an infiltration basin.

The building should not impede any views of important elements of the city, significantly shadow the adjacent street or surrounding properties, or significantly generate wind currents at ground level.

The site includes crime prevention design elements. Windows would be provided on all sides of the building to allow natural surveillance. Adequate lighting would also be provided at the entrances and outdoor common areas. Walkways would be provided to guide people to, from and around the site. Fencing would be provided at the rear of the site to restrict access to private areas.

No structures exist on the site.

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

ZONING CODE: The site is currently zoned R4. A multifamily dwelling with 5 or more units in the R4 district is a conditional use.

Parking and Loading:

Minimum automobile parking requirement: The minimum parking requirement for a multiple family dwelling is one space per unit. The development qualifies for a transit incentive to reduce the minimum parking requirement by 10 percent because the proposed use is located within 300 feet of a transit stop with midday service headways of 30 minutes or less in each direction. With the transit incentive, the minimum parking requirement is 32 spaces. Thirty-one spaces would be provided on-site. A variance is required to reduce the minimum parking requirement. For the parking spaces proposed, at least one

must be accessible. One accessible space would be provided. Up to 25 percent of the required parking spaces, or 8 spaces, can be compact. Four compact spaces are proposed.

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

Bicycle parking requirement: The minimum bicycle parking requirement is equal to one space per two dwelling units. Not less than 90 percent of the required bicycle parking must meet the standards for long term parking. All required bicycle parking spaces must be accessible without moving another bicycle and its placement shall not result in a bicycle obstructing a required walkway. Bicycle racks shall be installed to the manufacturer's specifications, including the minimum recommended distance from other structures. In addition, required long-term bicycle parking spaces must be located in enclosed and secured or supervised areas providing protection from theft, vandalism and weather and shall be accessible to intended users. Required long-term bicycle parking for residential uses shall not be located within dwelling units or within deck or patio areas accessory to dwelling units. The total minimum requirement is 18 spaces, of which at least 16 must meet the long-term parking requirements. The applicant would provide 35 spaces all of which would be long-term spaces.

Loading: No loading spaces are required for multi-family dwellings with less than 100 units. No designated loading spaces are proposed on-site.

Maximum Floor Area: The lot area is 37,648 square feet. The maximum FAR allowed in the R4 District is 1.5. The development qualifies for a 20 percent density bonus for locating all required parking within the building. Therefore the maximum FAR increases to 1.8. The building would have a total of 52,281 square feet, which is an FAR of 1.39.

Minimum Lot Area: The lot area is 37,648 square feet. The minimum lot area requirement in the R4 district is 1,250 square feet per dwelling unit, or 43,750 square feet for 35 units. The development qualifies for a 20 percent density bonus for locating all required parking within the building. With the density bonus, the minimum lot size is 1,046 square feet per unit, or approximately 36,610 square feet for 35 units.

Dwelling Units per Acre: The applicant proposes a density of 40.5 dwelling units per acre.

Lot Coverage: The maximum lot coverage allowed in the R4 district is 70 percent. The lot area is 37,648 square feet, therefore 26,353 square feet of coverage is allowed. The proposed footprint is approximately 14,778 square feet, which covers 39.3 percent of the site.

Impervious Surface Coverage: The maximum impervious surface coverage allowed in the R4 district is 85 percent. The lot area is 37,648 square feet, therefore 32,000 square feet of impervious surface is allowed. The proposed amount of impervious surface is approximately 19,262 square feet, which covers 51.2 percent of the site.

Building Height: The maximum height allowed in the R4 district is 4 stories or 56 feet, whichever is less. The proposed height is 4 stories and 48 feet not including the parapet or elevator overrun.

Yard Requirements: Front yards are required adjacent to 18 ½ Avenue and Jackson Street. The minimum front yard requirement is 15 feet unless the setback of an adjacent structure is greater. The adjacent residential structures to the east and north are set back less than 15 feet from the front lot lines. Therefore, a 15 foot front yard is required. The proposed building walls would be set back 15 feet and more from both front lot lines. Walkways, stairs, a landing, canopies and patios would be located in the required front yards. Walkways and stairs that do not exceed 6 feet in width, landings that do not exceed 36 square feet in area, canopies projecting not more than 2 ½ feet into the required yard, and patios that do not exceed 50 square feet are permitted obstructions in front yards. The proposed obstructions in the front yard adjacent to Jackson Street would comply with the permitted obstructions regulations. The accessible walkway and canopy located in the 18 ½ Avenue front yard would also comply with the permitted obstructions regulations. However, the walkway, stairs and landing leading to the main entrance would exceed the allowed width and area. A variance is needed to increase the size of these obstructions.

Interior side yards are required along the north and east lot lines. The minimum interior side yard requirement is equal to 5+2x, where x is equal to the number of stories above the first floor. A four-story building is proposed; therefore the minimum requirement is 11 feet for the building. The building would be set back over 13 feet from the north lot line and 18 feet from the east lot line. Patios and play equipment are required to be set back 5 feet from an interior side lot line. The proposed patio and play equipment would be set back 5 feet or more from the east side lot line.

Specific Development Standards: Not applicable.

Signs: In the R4 district, a nonilluminated 32 square foot wall sign placed up to 14 feet high on the building is allowed for a multiple family dwelling with a lot area between 10,000 and 43,559 square feet. On a corner lot, two such signs are allowed. A 25 square foot wall sign that would be placed 10.5 feet high on the building is proposed. The proposed signage will require Zoning Office review, approval, and a permit.

Refuse screening: Refuse storage containers are required to be screened from the street and adjacent residential uses as required by section 535.80. Refuse storage containers would be located in the building.

Lighting: 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.

The applicant has submitted lighting information that indicates the proposed lighting will comply with the above standards.

Home occupations: Home occupations are allowed accessory to a dwelling, subject to the provisions of Chapter 535, Article VII. Home Occupations:

535.440. Purpose. Home occupation regulations are established to ensure that home occupations do not adversely affect the character and livability of the surrounding neighborhood and that a home occupation remains accessory and subordinate to the principal residential use of the dwelling. The regulations recognize that many types of home occupations can be conducted with little or no adverse effect on the surrounding neighborhood.

535.450. Home occupation standards. Home occupations shall be subject to the following standards, except that licensed family day care and licensed group family day care shall be exempt from the provisions of sections (2), (6), (11), (12), (13) and (15):

(1) The home occupation shall be an activity which is customarily associated with the use of a dwelling.

(2) Only the residents of the dwelling unit, and not more than one (1) nonresident employee, shall be employed by or engaged in the conduct of the home occupation on the premises. For the purpose of this section, "nonresident employee" shall include an employee, business partner, independent contractor or other person affiliated with the home occupation who is not a resident of the dwelling unit, but who visits the site as part of the home occupation. Not more than one (1) nonresident employee shall be permitted per dwelling unit or two-family dwelling, regardless of the number of home occupations.

(3) Exterior alterations or modifications that change the residential character or appearance of the dwelling, any accessory buildings or the zoning lot shall be prohibited.

(4) Interior alterations or modifications that eliminate the kitchen, living room, all of the bathrooms, or all of the bedrooms of the dwelling shall be prohibited.

(5) The home occupation shall be conducted only within an enclosed area of the dwelling. However, beginning in the R4 zoning district, in multiple-family dwellings of five (5) or more units the home occupation may be allowed within a specific area of the principal building designated for such home occupation by conditional use permit, as provided in Chapter 525, Administration and Enforcement. In addition to the conditional use standards,

the planning commission shall consider, but not be limited to, the following factors:

a. Nature of the home occupation and its impacts of noise, light, odor, vibration and traffic.

b. Conformance with applicable zoning requirements, including but not limited to, yards, gross floor area, and specific development standards.

c. History of complaints related to the property.

(6) Outdoor storage or display of materials, goods, supplies, or equipment related to the conduct of a home occupation shall be prohibited.

(7) The required off-street parking area provided for the principal use shall not be reduced or made unusable by the home occupation.

(8) Signage shall be restricted to one (1) non-illuminated, flat wall, identification sign not to exceed one (1) square foot in area. On a corner zoning lot, two (2) such signs, one (1) facing each street, shall be allowed.

(9) No equipment, machinery or materials other than of a type normally found in or compatible with a dwelling shall be allowed.

(10) No retail sale and delivery of products or merchandise to the customer or client shall occur on the premises except where accessory to any services provided (such as hair care products sold accessory to hair cutting or computer disks accessory to accounting services).

(11) No home occupation shall be visible from any public right-of-way, except for allowed signage.

(12) The hours open to the public shall be limited to between 8:00 a.m. and 8:00 p.m.

(13) The home occupation shall not generate excessive customer or client traffic that is detrimental to the residential character of surrounding properties or the neighborhood. For purposes of this provision, more than five (5) customers or clients per day may be determined to be an excessive and detrimental level of traffic. This number shall apply per dwelling unit, regardless of the number of home occupations, except that in the case of two (2) family dwellings, the number shall apply to the two (2) family dwelling. The factors to be used for such a determination shall include but not be limited to:

a. The characteristics of the neighborhood, including land uses, lot sizes and lot widths.

b. Street type, width and traffic volumes.

c. The availability and location of off-street parking and the extent to which the home occupation contributes to on-street parking congestion.

(14) Shipment and delivery of products, merchandise or supplies shall be limited to between 9:00 a.m. and 6:00 p.m. and shall regularly occur only in single rear axle straight trucks or smaller vehicles normally used to serve residential neighborhoods.

(15) No sound or noise created by the operation of the home occupation shall be audible beyond the boundaries of the zoning lot.

(16) Hazardous materials in excess of consumer commodities which are packaged for consumption by individuals for personal care or household use shall be prohibited.

535.460. Prohibited home occupations. Recognizing that there are some uses which have serious objectionable operational characteristics and thereby adversely affect the surrounding neighborhood, the following shall be prohibited as home occupations:

(1) Motor vehicle repair, service or painting, or any repair or servicing of vehicles or equipment with internal combustion engines (such as snowmobiles, lawnmowers, chain saws and other small engines).

(2) A barber shop or beauty salon that is designed to serve more than one (1) client at a time.

(3) The sale, lease, trade or other transfer of firearms or ammunition by a firearms dealer. Firearms dealers existing on or before October 7, 1995, and in all other respects in conformance with the provisions of this ordinance, shall be permitted to continue as nonconforming uses in accordance with the provisions of Chapter 531, Nonconforming Uses and Structures.

(4) Sexually oriented uses, as defined in Chapter 549, Downtown Districts.

(5) Headquarters or dispatch centers where persons come to the site and are dispatched to other locations.

(6) Uses first allowed in the C4 General Commercial District or any industrial district.

The proposed housing development is being marketed to artists. The building will have common spaces that would also function as a studio and art gallery for the resident artists. A conditional use permit is required to allow the home occupation outside of a dwelling unit and within a specific area of the principal building designated for such home occupation. The applicant has given no indication that the other standards would not be met.

MINNEAPOLIS PLAN: In addition to the principals and policies identified in the conditional use permit sections of this report, the project would also be consistent with the following:

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

Applicable Implementation Steps

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

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

10.4.3 Advance the understanding of urban housing and retail design among members of the design and development community.

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

Applicable Implementation Step

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

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

Applicable Implementation Steps

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

10.6.3 Provide appropriate physical transition and separation using green space, setbacks or orientation, stepped down height, or ornamental fencing to improve the compatibility between higher density and lower density residential uses.

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

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

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

The *Central Avenue Small Area Plan* indicates that Jackson Street should develop into a high quality neighborhood street and that larger development should include sensitive design features to transition to the lower density neighborhood. The plan also promotes locating parking below-ground.

ALTERNATIVE COMPLIANCE:

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

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

Alternative compliance is requested by the applicant to meet the following standards:

- Blank, uninterrupted wall exceeding 25 feet in length

  There would not be any blank, uninterrupted walls exceeding 25 feet in length, except on the south first floor elevation of the studio/community room. The area of the wall that does not have any windows, entries, recesses or projections, or other architectural elements is 28.5 feet in width. Staff is not aware of any reasons why additional architectural elements could not be provided and is therefore recommending that alternative compliance not be granted.

- Minimum number of on-site canopy trees

  The zoning code requires at least one canopy tree for each 500 square feet of required green space and at least one shrub for each 100 square feet of required green space. The tree and shrub requirement for this site is 10 and 46 respectfully. The applicant would provide 6 deciduous canopy trees and 58 shrubs on-site. In lieu of providing the 4 other canopy trees, the applicant would provide 3 coniferous trees and 16 ornamental trees. Canopy trees would also be planted in the Jackson Street and 18 ½ Avenue boulevards. The proposed landscaping plan provides seasonal interest and diversity of plant types that helps define the transition from a commercial corridor to a residential neighborhood. With the alternatives proposed, staff is recommending that the planning commission grant alternative compliance to allow 6 canopy trees on-site instead of 10.

VACATION

Development Plan: An east/west alley is proposed to be vacated. The applicant intends to use this area as part of the development site for a new multi-family dwelling. The building and outdoor common areas for the residents would extend into the area. A north/south alley also exists on the block that provides access to surrounding properties.

Responses from Utilities and Affected Property Owners: Of the responses received, there were no objections and no easements requested.

Findings: The CPED Planning Division and Public Works Department finds that the area proposed for vacation is not needed for any public purpose and it is not part of a public transportation corridor.

RECOMMENDATIONS

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

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a conditional use permit to allow 35 dwelling units for the properties located at 901, 905, 907, 907 ½, 911, 911 ½ & 913 18 ½ Avenue Northeast and 1839, 1843 & 1847 Jackson Street Northeast, subject to the following condition:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within one year of approval.

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

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a conditional use permit to allow a home occupation within a specific area of the building designated for such use for the properties located at 901, 905, 907, 907 ½, 911, 911 ½ & 913 18 ½ Avenue Northeast and 1839, 1843 & 1847 Jackson Street Northeast, subject to the following condition:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within one year of approval.

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

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a variance to reduce the front yard requirement adjacent to 18 ½ Avenue Northeast to allow a walkway and stairs exceeding 6 feet in width and a landing exceeding 36 square feet in area for the properties located at 901, 905, 907, 907 ½, 911, 911 ½ & 913 18 ½ Avenue Northeast and 1839, 1843 & 1847 Jackson Street Northeast.

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

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a variance to reduce the minimum parking requirement by one space for the properties located at 901, 905, 907,

907 ½, 911, 911 ½ & 913 18 ½ Avenue Northeast and 1839, 1843 & 1847 Jackson Street Northeast, subject to the following condition:

1. At least one bicycle parking space per dwelling unit that complies with bicycle parking requirements for long term and/or short term spaces in section 541.180 of the zoning code shall be provided.

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

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for site plan review to allow a multi-family dwelling with 35 units for the properties located at 901, 905, 907, 907 ½, 911, 911 ½ & 913 18 ½ Avenue Northeast and 1839, 1843 & 1847 Jackson Street Northeast, subject to the following conditions:

1. Community Planning and Economic Development Department – Planning Division staff review and approval of the final elevations, floor, site and landscape plans.

2. Site improvements required by Chapter 530 or by the City Planning Commission shall be completed by December 16, 2012, or the permit may be revoked for non-compliance.

3. On the south first floor elevation of the studio/community room additional architectural elements shall be provided to eliminate a blank, uninterrupted wall exceeding 25 feet in width as required by section 530.120 of the zoning code.

4. The development shall comply with the home occupation standards found in Chapter 535, Article VII Home Occupations of the zoning code.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **approve** the alley vacation for the properties located at 901, 905, 907, 907 ½, 911, 911 ½ & 913 18 ½ Avenue Northeast and 1839, 1843 & 1847 Jackson Street Northeast.

Attachments:

1. Applicants statement of use and findings
2. Zoning map
3. Plans
4. Photos

Minneapolis City Planning Commission Actions

See agenda for this meeting.

Regular Meeting

November 14, 2011

4:30 p.m. - Room 317, City Hall, Minneapolis, Minnesota

Commissioners present: President Motzenbecker, Cohen, Huynh, Luepke-Pier, Mammen, Tucker and Wielinski – 7

Not present: Carter (excused) and Schiff (excused)

Committee Clerk: Lisa Baldwin (612) 673-3710

Call to order

Approval of the Agenda

Committee of the Whole Consent Agenda – November 3, 2011

None. The next Committee of the Whole meeting is November 17, 2011.

Public Hearings

Introduction to the Public Hearing

Public Hearing

1. 410 38th Street West (MS-216, Ward 8), 410 38th St W (Shanna Sether).

Staff report

A. Minor Subdivision: Application by Niki Stavrou of ubuy4me, LLC, for a minor subdivision of 410 38th St W in the C1 Neighborhood Commercial District.

Action: The City Planning Commission adopted the findings and **approved** the minor subdivision that would create two lots at 410 38th St W in the C1 Neighborhood Commercial District.

2. Bakken Museum (BZZ-5385, Ward 13), 3537 Zenith Ave S (Hilary Dvorak).

Staff report

A. Nonconforming Use Expansion: Application by David Rhees, on behalf of the Bakken Museum, for an expansion of a non-conforming use application to allow for the construction of a monument sign for a museum located in the R1 zoning district. The property is located at 3537 Zenith Ave S.

Action: The City Planning Commission adopted the findings and **approved** the expansion of non-conforming use to allow for the construction of a monument sign for a museum located in the R1 zoning district for the property located at 3537 Zenith Ave S subject to the following conditions:

1. Approval of the final sign plans by the Department of Community Planning and Economic Development – Planning Division.
2. The sign installation shall be completed by November 14, 2012, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

3. Kaah Adult Daycare (BZZ-5391, Ward 8), 325, 331 and 341 E Lake St and 3009 and 3013 Clinton Ave (Becca Farrar).

Staff report

A. Rezoning: Application by Fowsia Harum, on behalf of Kolar Center, LLC, Birrell Center, LLC, and Nancy Hirshfield et al, for a petition to rezone the properties located at 325, 331 and 341 E Lake St and 3009 and 3013 Clinton Ave from the C1 (Neighborhood Commercial) district to the C2 (Neighborhood Corridor Commercial) district in order to allow an adult day care/development achievement center known as Kaah Adult Daycare as a permitted use within an existing building on the premises. The rezoning request would also allow additional uses within the existing buildings on the premises.

Action: The City Planning Commission recommended that the City Council adopt the findings and **approve** the rezoning petition to change the zoning classification of the properties located at 325, 331 and 341 E Lake St and 3009 and 3013 Clinton Ave from the C1 district to the C2 district.

4. Jackson Flats (BZZ-5357 and Vac-1545, Ward 1), 901, 905, 907, 907 ½, 911, 911 ½ & 913 18 ½ Ave NE and 1839, 1843 & 1847 Jackson St NE (Janelle Widmeier).

Staff report

Site plan

A. Conditional Use Permit: Application by Jeffrey Schoeneck, on behalf of Artspace Projects Inc, for a conditional use permit to allow 35 dwelling units for the property located at 901, 905, 907, 907 ½, 911, 911 ½ & 913 18 ½ Ave NE and 1839, 1843 & 1847 Jackson St NE.

Action: The City Planning Commission adopted the findings and **approved** the application for a conditional use permit to allow 35 dwelling units for the properties located at 901, 905, 907, 907 ½, 911, 911 ½ & 913 18 ½ Ave NE and 1839, 1843 & 1847 Jackson St NE, subject to the following condition:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within one year of approval.

B. Conditional Use Permit: Application by Jeffrey Schoeneck, on behalf of Artspace Projects Inc, for a conditional use permit to allow a home occupation within a specific area of the building designated for such use for the property located at 901, 905, 907, 907 ½, 911, 911 ½ & 913 18 ½ Ave NE and 1839, 1843 & 1847 Jackson St NE.

Action: The City Planning Commission adopted the findings and **approved** the application for a conditional use permit to allow a home occupation within a specific area of the building designated for such use for the properties located at 901, 905, 907, 907 ½, 911, 911 ½ & 913 18 ½ Ave NE and 1839, 1843 & 1847 Jackson St NE, subject to the following condition:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within one year of approval.

C. Variance: Application by Jeffrey Schoeneck, on behalf of Artspace Projects Inc, for a variance to reduce the front yard requirement adjacent to 18 ½ Ave to allow a walkway and stairs exceeding 6 feet in width and a landing exceeding 36 square feet in area for the property located at 901, 905, 907, 907 ½, 911, 911 ½ & 913 18 ½ Ave NE and 1839, 1843 & 1847 Jackson St NE.

Action: The City Planning Commission adopted the findings and **approved** the application for a variance to reduce the front yard requirement adjacent to 18 ½ Ave NE to allow a walkway and stairs exceeding 6 feet in width and a landing exceeding 36 square feet in area for the properties located at 901, 905, 907, 907 ½, 911, 911 ½ & 913 18 ½ Ave NE and 1839, 1843 & 1847 Jackson St NE.

D. Variance: Application by Jeffrey Schoeneck, on behalf of Artspace Projects Inc, for a variance to reduce the minimum parking requirement by one space for the property located at 901, 905, 907, 907 ½, 911, 911 ½ & 913 18 ½ Ave NE and 1839, 1843 & 1847 Jackson St NE.

Action: The City Planning Commission adopted the findings and **approved** the application for a variance to reduce the minimum parking requirement by one space for the properties located at 901, 905, 907, 907 ½, 911, 911 ½ & 913 18 ½ Ave NE and 1839, 1843 & 1847 Jackson St NE, subject to the following condition:

1. At least one bicycle parking space per dwelling unit that complies with bicycle parking requirements for long term and/or short term spaces in section 541.180 of the zoning code shall be provided.

E. Site Plan Review: Application by Jeffrey Schoeneck, on behalf of Artspace Projects Inc, for a site plan review for the property located at 901, 905, 907, 907 ½, 911, 911 ½ & 913 18 ½ Ave NE and 1839, 1843 & 1847 Jackson St NE.

Action: The City Planning Commission adopted the findings and **approved** the application for site plan review to allow a multi-family dwelling with 35 units for the properties located at 901, 905, 907, 907 ½, 911, 911 ½ & 913 18 ½ Ave NE and 1839, 1843 & 1847 Jackson St NE, subject to the following conditions:

1. Community Planning and Economic Development Department – Planning Division staff review and approval of the final elevations, floor, site and landscape plans.
2. Site improvements required by Chapter 530 or by the City Planning Commission shall be completed by December 16, 2012, or the permit may be revoked for non-compliance.
3. On the south first floor elevation of the studio/community room additional architectural elements shall be provided to eliminate a blank, uninterrupted wall exceeding 25 feet in width as required by section 530.120 of the zoning code.
4. The development shall comply with the home occupation standards found in Chapter 535, Article VII Home Occupations of the zoning code.

F. Vacation: Application by Jeffrey Schoeneck, on behalf of Artspace Projects Inc, for an alley vacation (east/west portion only)for the property located at 901, 905, 907, 907 ½, 911, 911 ½ & 913 18 ½ Ave NE and 1839, 1843 & 1847 Jackson St NE.

Action: The City Planning Commission recommended that the City Council adopt the findings and **approve** the alley vacation for the properties located at 901, 905, 907, 907 ½, 911, 911 ½ & 913 18 ½ Ave NE and 1839, 1843 & 1847 Jackson St NE.

5. Zoning Code Text Amendment (Ward: All), (Jason Wittenberg).

Staff report

Code text

A. Text Amendment: Amending Title 20 of the Minneapolis Code of Ordinances as follows:

Amending Chapter 551 relating to Zoning Code: *Overlay Districts.*

The purpose of the amendment is to classify additional Pedestrian Oriented Overlay Districts as transit station areas.

Action: The City Planning Commission recommended that the City Council adopt the findings and **approve** the zoning code text amendment, amending chapter 551

6. Zoning Code Text Amendment (Ward: All), (Hilary Dvorak). This item was continued from the September 19, 2011 and October 17, 2011 meetings.

Staff report

A. Text Amendment: Amending Title 20 of the Minneapolis Code of Ordinances related to the Zoning Code, as follows:

Amending Chapter 530 related to Zoning Code: *Site Plan Review*

Amending Chapter 546 related to Zoning Code: *Residence Districts*

Amending Chapter 547 related to Zoning Code: *Office Residence Districts*

Amending Chapter 548 related to Zoning Code: *Commercial Districts*

Amending Chapter 549 related to Zoning Code: *Downtown Districts*

Amending Chapter 551 related to Zoning Code: *Overlay Districts*

The purpose of the amendment is to eliminate the conditional use permit application requirement for multiple-family residential uses with five or more dwelling units.

Action: The City Planning Commission **continued** the zoning code text amendment to the December 12, 2011, City Planning Commission meeting.

Commission Business

1. Ryan Kronzer will be the new commissioner to fill the term of Brian Gorecki.
2. The next Committee of the Whole meeting is November 17, 2011.

Adjournment

The meeting adjourned at 4:43 p.m.

Next Regular Planning Commission Meeting: December 12, 2011

The President reserves the right to limit discussion on Agenda items.

Recommendations of the Planning Commission on public hearing items are only forwarded to the Zoning and Planning Committee of the City Council for applications for rezonings, street or alley vacations, Zoning Code text amendments, and comprehensive plan amendments. Planning Commission decisions are final on all other items unless appealed.

The meeting site is wheelchair accessible; if you need other disability related accommodations, such as a sign language interpreter or materials in alternative format, please contact (612) 673-3220 (673-2157 TTY/VOICE) at least five days prior to the meeting.

Attention: If you want help translating this information, call - **Hmong** - Ceeb toom. Yog koj xav tau kev pab txhais cov xov no rau koj dawb, hu (612) 673-2800; **Spanish** - Atención. Si desea recibir asistencia gratuita para traducir esta información, llama (612) 673-2700; **Somali** - Ogow. Haddii aad dooneyso in lagaa kaalmeeyo tarjamadda macluumaadkani oo lacag la' aan wac (612) 673-3500.

Minneapolis Community Planning and Economic Development (CPED) Department Home

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