



## **Request for City Council Committee Action from the Department of Community Planning and Economic Development – Planning Division**

Date: April 5, 2012

To: Council Member Gary Schiff, Chair, Zoning & Planning Committee and Members of the Committee

Referral to: Zoning and Planning Committee

**Subject:** Appeal of the decision of the City Planning Commission associated with the approval of all land use applications related to the Dock Street Apartments development located at 333 Washington Avenue North and 328 4<sup>th</sup> Street North.

**Recommendation:** The following actions were taken by the Planning Commission on March 5, 2012 (BZZ-5484):

**5. North Loop Green PUD - Dock Street Apartments (BZZ-5484, Ward: 7), 333 Washington Ave N and 328 4<sup>th</sup> St N ([Hilary Dvorak](#)).**

**A. Conditional Use Permit:** Application by Bob Pfefferle, with Hines Northstar Crossings Limited Partnership, for a conditional use permit for a Planned Unit Development including 185 dwelling units and 3,300 square feet of ground floor commercial space for the properties located at 333 Washington Ave N and 328 4<sup>th</sup> St N.

**Action:** The City Planning Commission adopted the findings and **approved** the conditional use permit application for a Planned Unit Development including 185 dwelling units and 3,300 square feet of ground floor commercial space located at 333 Washington Ave N and 328 4<sup>th</sup> St N subject to the following conditions:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within one year of approval.
2. There shall be at least four guest parking spaces provided in the building as required by section 551.765 of the zoning code.
3. As required by section 527.120 of the zoning code, the development shall comply with the standards for some combination of the following amenities from Table 527-1, Amenities and those proposed by the applicant totaling a minimum of 15 points: underground parking, pedestrian improvements, decorative fencing, enhanced exterior lighting, enhanced

landscaping, recycling storage area and preservation of character-defining features in the historic district.

4. The existing chain link fence located around the chiller equipment on Outlot A shall be removed and replaced with decorative metal fencing.
5. The owner shall provide within Dock Street Apartments secure bicycle storage in the parking garage of the building for residents. Not less than 185 racks shall be provided, which equates to one rack for each dwelling unit.
6. The owner shall provide exterior bicycle racks for temporary parking of guests and customers of nonresidential uses near the Cedar Lake Trail connection and at the Washington Avenue plaza location.
7. The owner/property manager shall implement a shared bicycle program for the residents of Dock Street Apartments. The building shall initially have six bicycles docked in the parking garage, which residents will be able to check out and return on an as-needed/as-available basis.
8. The owner/property manager shall provide separate rental agreements and separately itemized charges for residential dwelling rental obligations and parking space rental obligations.
9. The owner will provide a connection through the Dock Street Apartment site for bicycle access to the Cedar Lake Trail for both residents and the public.
10. The owner/property manager shall provide and maintain a connection to the Cedar Lake Trail pedestrian walkway for access by the residents and the public.

**B. Site Plan Review:** Application by Bob Pfefferle, with Hines Northstar Crossings Limited Partnership, for a site plan review for the properties located at 333 Washington Ave N and 328 4<sup>th</sup> St N.

**Action:** The City Planning Commission adopted the findings and **approved** the site plan review to allow a mixed use building with 185 dwelling units for the property located at 333 Washington Ave N and 328 4th St N subject to the following conditions:

11. Approval of the final site, landscaping, elevation and lighting plans by the Community Planning and Economic Development Department – Planning Division.
12. All site improvements shall be completed by March 5, 2014, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

**Ward:** 7

Prepared by: Hilary Dvorak, Interim Planning Manager, 612-673-2639 Approved by: Jason Wittenberg, Interim Planning Director Presenters in Committee: Hilary Dvorak, Interim Planning Manager
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**Community Impact:**

Neighborhood Notification: Notice of the Planning Commission hearing was mailed on February 10, 2012, and notice of the appeal was mailed on March 26, 2012.

- City Goals: See staff report
- Comprehensive Plan: See staff report
- Zoning Code: See staff report

- End of 120-day decision period: June 16, 2012
- Other: Not applicable

**Background/Supporting Information:**

Richard P. Johnson with Hennepin County Regional Railroad Authority, along with the Minnesota Department of Transportation, has filed an appeal of the decision of the City Planning Commission. The appeal is regarding the decision of the City Planning Commission on March 5, 2012, to approve all land use applications associated with the project known as the Dock Street Apartments development, a new Planned Unit Development including 185 dwelling units and 3,300 square feet of ground floor commercial space. The minutes from the March 5, 2012, City Planning Commission meeting are attached. The Planning Commission voted 7-0 for item A and 7-1 for item B.

The appellant's complete statement and reasons for the appeal are attached.