

**Excerpt from the
CITY PLANNING COMMISSION MINUTES
Minneapolis Community Planning & Economic Development (CPED)
Planning Division**

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MEMORANDUM

DATE: July 12, 2012

TO: Steve Poor, Planning Manager – Zoning Administrator, Community Planning & Economic Development - Planning Division

FROM: Hilary Dvorak, Interim Planning Manager, Community Planning & Economic Development - Planning Division, Development Services

CC: Jason Wittenberg, Interim Planning Director, Community Planning & Economic Development Planning Division

SUBJECT: Planning Commission decisions of June 11, 2012

The following actions were taken by the Planning Commission on June 11, 2012. As you know, the Planning Commission's decisions on items other than rezonings, text amendments, vacations, 40 Acre studies and comprehensive plan amendments are final subject to a ten calendar day appeal period before permits can be issued.

Commissioners present: President Motzenbecker, Cohen, Huynh, Kronzer, Luepke-Pier, Mammen, Schiff, Tucker and Wielinski – 9

Committee Clerk: Lisa Baldwin (612) 673-3710

7. Washington and Walnut Flats (BZZ-5567, Ward: 2), 616-630 Washington Ave NE and 308 Walnut St ([Kimberly Holien](#)).

A. Rezoning: Application by Carol Lansing, on behalf of Opus Development, for a rezoning from C1, Neighborhood Commercial district to C3A, Community Activity Center district for a 6-story, mixed use building with 98 dwelling units at 616-630 Washington Ave NE and 308 Walnut St, in the C1, Neighborhood Commercial District and the UA, University Area and TSA PO, Transit Station Area Pedestrian Oriented Overlay Districts.

Action: The City Planning Commission recommends that the City Council adopt the findings and **approve** the application for rezoning from C1, Neighborhood Commercial district to C3A, Community Activity Center district for the properties located at 616-630 Washington Ave SE and 208 Walnut St.

Approved on consent 8-0.

B. Conditional Use Permit: Application by Carol Lansing, on behalf of Opus Development, for a conditional use permit to allow an increase in the maximum allowable height from 4 stories or 56 feet to 6 stories or 84.5 feet for properties located at 616-630 Washington Ave NE and 308 Walnut St.

Action: The City Planning Commission adopted the findings and **approved** the application for a conditional use permit to allow an increase in height from 4 stories, 56 feet to 6 stories, 73'4" feet for the properties located at 616-630 Washington Ave SE and 208 Walnut St, 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.
2. The "lantern" roof element shall be removed from all final elevation plans.

Approved on consent 8-0.

C. Variance: Application by Carol Lansing, on behalf of Opus Development, for a variance to allow a reduction in the minimum lot area per dwelling unit from 254 square feet per dwelling unit to 222 square feet per dwelling unit, a variance of approximately 12.3 percent for properties located at 616-630 Washington Ave NE and 308 Walnut St.

Action: The City Planning Commission adopted the findings and **approved** the application for a variance to allow a reduction in the minimum lot area per dwelling unit from approximately 254 square feet per dwelling unit to 222 square feet per dwelling unit, or a variance of approximately 12.3 percent for the properties located at 616-630 Washington Ave SE and 208 Walnut St.

Approved on consent 8-0.

D. Variance: Application by Carol Lansing, on behalf of Opus Development, for a variance to allow an increase in the maximum allowable floor area ratio (FAR) from 4.32 to 4.7 for properties located at 616-630 Washington Ave NE and 308 Walnut St.

Action: The City Planning Commission adopted the findings and **approved** the application for a variance to increase the maximum floor area ratio from 4.32 to 4.7 for the properties located at 616-630 Washington Ave SE and 208 Walnut St.

Approved on consent 8-0.

E. Variance: Application by Carol Lansing, on behalf of Opus Development, for a variance to reduce the required east front yard setback from 15 feet to 0 feet for properties located at 616-630 Washington Ave NE and 308 Walnut St.

Action: The City Planning Commission adopted the findings and **approved** the application for a variance to reduce the required east front yard setback from 15 feet to 0 feet for the properties located at 616-630 Washington Ave SE and 208 Walnut St.

Approved on consent 8-0.

F. Variance: Application by Carol Lansing, on behalf of Opus Development, for a variance to reduce the required south side yard setback from 15 feet to 0 feet for properties located at 616-630 Washington Ave NE and 308 Walnut St.

Action: The City Planning Commission adopted the findings and **approved** the application for a variance to reduce the south side yard setback from 15 feet to 0 feet for the properties located at 616-630 Washington Ave SE and 208 Walnut St, subject to the following condition:

1. The portions of the upper floors of the building that contain windows shall be located a minimum of 3.5 feet from the south property line.

Approved on consent 8-0.

G. Variance: Application by Carol Lansing, on behalf of Opus Development, for a variance to reduce the required west side yard setback from 15 feet to 0 feet for properties located at 616-630 Washington Ave NE and 308 Walnut St.

Action: The City Planning Commission adopted the findings and **approved** the application for a variance to reduce the west side yard setback from 15 feet to 0 feet for the properties located at 616-630 Washington Ave SE and 208 Walnut St subject to the following condition:

1. The portions of the upper floors of the building that contain windows shall be located a minimum of ten feet from the west property line.

Approved on consent 8-0.

H. Variance: Application by Carol Lansing, on behalf of Opus Development, for a variance to the Pedestrian Oriented Overlay District standards to increase the width of the curb cut from 20 feet to 24 feet for properties located at 616-630 Washington Ave NE and 308 Walnut St.

Action: The City Planning Commission adopted the findings and **denied** the application for a variance to the Pedestrian Oriented Overlay District standards to increase the width of the curb cut from 20 feet to 24 feet for the properties located at 616-630 Washington Ave SE and 208 Walnut St.

Approved on consent 8-0.

I. Variance: Application by Carol Lansing, on behalf of Opus Development, for a variance to the Pedestrian Oriented Overlay District standards to increase the maximum front yard setback from eight feet to 14.5 feet for properties located at 616-630 Washington Ave NE and 308 Walnut St.

Action: The City Planning Commission adopted the findings and **approved** the application for a variance to the Pedestrian Oriented Overlay District standards increase the front yard setback for the residential entry from eight feet to 14.5 feet for the properties located at 616-630 Washington Ave SE and 208 Walnut St.

Approved on consent 8-0.

J. Variance: Application by Carol Lansing, on behalf of Opus Development, for a variance to reduce the off-street vehicle parking requirement from 88 spaces to 49 spaces for properties located at 616-630 Washington Ave NE and 308 Walnut St.

Action: The City Planning Commission adopted the findings and **approved** the application for a variance to reduce the minimum vehicle parking requirement from 88 spaces to 49 spaces for the properties located at 616-630 Washington Ave SE and 208 Walnut St.

Approved on consent 8-0.

K. Site Plan Review: Application by Carol Lansing, on behalf of Opus Development, for a site plan review for a 6-story, mixed-use building with 98 dwelling units for properties located at 616-630 Washington Ave NE and 308 Walnut St.

Action: The City Planning Commission **approved** the site plan review application for a mixed-use development with 98 residential dwelling units on the properties 616-630 Washington Ave SE and 208 Walnut St, subject to the following conditions:

1. All site improvements shall be completed by June 11, 2013, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

2. Planning Staff review and approval of the final site, elevation, landscaping and lighting plans before building permits may be issued.
3. No shelving, signage, merchandise, newspaper racks or other similar fixtures shall be placed in front of the required ground level transparent windows.
4. The south elevation shall be revised to include a material change, recess, projection or other architectural element to eliminate any blank walls in excess of 25 feet, in compliance with Section 530.120 of the zoning code.
5. Both the east and west ends of the south elevation shall contain brick panel so that all sides of the building will be compatible with each other and similar in appearance, in compliance with Section 530.120 of the zoning code.
6. The applicant shall work with staff to provide a minimum of 84 square feet of landscaping on site, in compliance with Section 530.160 of the zoning code.
7. The loading space shall be removed and the applicant shall work with Public Works on obtaining an on-street loading space on Walnut Street.
8. A minimum of nine short-term bicycle parking spaces shall be provided on site or within the right-of-way adjacent to the site, in compliance with Section 541.180 of the zoning code.

Approved on consent 8-0.

10. Serenity Suites (BZZ-5579, Ward: 3), 2510 4th St N (Becca Farrar).

A. Rezoning: Application by Jonah Bridger for a petition to rezone the property located at 2510 4th St N from the R2B (Two-family) district to the R5 (Multiple-family) district.

Action: The City Planning Commission recommended that the City Council adopt the findings and **deny** the rezoning petition to change the zoning classification of the property located at 2510 4th St N from the R2B district to the R5 district.

Aye: Cohen, Huynh, Kronzer, Schiff, Tucker and Wielinski; Luepke-Pier recused, Mammen not present for vote.

The motion carried 6-0.

B. Rezoning: Application by Jonah Bridger for a petition to rezone the property located at 2510 4th St N from the R2B (Two-family) district to the R4 (Multiple-family) district. The applicant proposes to rezone to two separate zoning classifications as the rezoning to R5 does not require a variance and the rezoning to R4 requires a variance. The applicant has applied for both in the circumstance that one of the rezoning proposals is supported by the City Council.

Action: Notwithstanding staff recommendation, the City Planning Commission recommended that the City Council **approve** the rezoning petition to change the zoning classification of the property located at 2510 4th St N from the R2B district to the R4 district, based on the following findings:

1. 26th Ave functions more like a community corridor than it does a neighborhood street where residential density is desired.
2. The building contains 11 one bedroom units.
3. The building has operated as a multiple-family housing development since the certificate of occupancy was issued in 1966.

4. The building is not out of character with its surroundings.
5. Rezoning the site will allow for private investment to take place.
6. Having additional eyes on the street would be a benefit to the neighborhood.

Aye: Huynh, Kronzer, Schiff, Tucker and Wielinski; Luepke-Pier recused, Mammen not present for vote.

Nay: Cohen

The motion carried 5-1.

C. Variance: Application by Jonah Bridger for a variance of the minimum lot area requirement in the R4 district to allow 11 dwelling units in the existing building located at 2510 4th St N. The R4 district requires a minimum lot area for multiple-family dwelling units of 1,250 square feet per dwelling unit. The applicant proposes 1,228 square feet per dwelling unit or a variance of approximately 2%.

Action: Notwithstanding staff recommendation, the City Planning Commission **approved** the application for a variance of the minimum lot area requirement in the R4 district to allow 11 dwelling units in the existing building on the property located at 2510 4th St N, based on the following findings:

1. The building is existing and was originally constructed as an 11-unit multiple family dwelling that was compliant with zoning regulations at that time. Should the R4 zoning district be deemed consistent with adopted City policies, it would be reasonable for the property to be utilized as it was prior to the loss of its non-conforming right.
2. The proposal to vary the minimum lot area requirement to allow 11 dwelling units in the existing building is reasonable and is in keeping with the spirit and intent of the ordinance and comprehensive plan. The R4 district requires a minimum lot area for multiple-family dwelling units of 1,250 square feet per dwelling unit. The applicant proposes 1,228 square feet per dwelling unit or a variance of approximately 2%.
3. The proposal to reduce the minimum lot area per dwelling unit by approximately 2% would not adversely alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity, nor would it be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties. The building is existing and was originally constructed as an 11-unit multiple family dwelling that was compliant with zoning regulations at that time.

Aye: Huynh, Kronzer, Schiff, Tucker and Wielinski; Luepke-Pier recused, Mammen not present for vote.

Nay: Cohen

The motion carried 5-1.

D. Site Plan Review: Application by Jonah Bridger for a site plan review to allow 11 dwelling units within the existing building located at 2510 4th St N.

Action: Notwithstanding staff recommendation, the City Planning Commission **approved** the site plan review application to allow 11 dwelling units within the existing building on the property located at 2510 4th St N, subject to the following conditions:

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

2. All site improvements shall be completed by June 11, 2013 unless extended by the Zoning Administrator or the permit may be revoked for noncompliance.
3. The stucco exterior of the building shall be repaired and repainted.
4. A final landscape plan shall be submitted that includes a more diverse planting plan and accompanying landscape plan that includes planting that explicitly lists proposed vegetation.
5. The site plan shall be modified to include landscaping along the north and south property lines as required by Section 530.170 of the zoning code.
6. The site plan shall be modified to meet the landscaping and screening standards along the east property line as required by Section 530.170 of the zoning code.

Aye: Huynh, Kronzer, Schiff, Tucker and Wielinski; Luepke-Pier recused, Mammen not present for vote.

Nay: Cohen

The motion carried 5-1.

Staff Dvorak presented the report.

President Motzenbecker opened the public hearing.

Alissa Luepke-Pier (1014 25th Ave N): I've been asked by the ethics officer to remind you that I'm here in the capacity of a resident but also, more importantly, in the capacity of a professional licensed architect in the state of Minnesota representing a client. In that regard, I'd like to begin by just discussing the rezoning request and the required findings.

Commissioner Schiff: I'm sorry. I think all Planning Commissioners have been told that they shouldn't be testifying when they abstain on an item, that they should be abstaining when they're involved with a project.

Alissa Luepke-Pier: I did specifically speak to the ethics officer in regard to this and she told me that I was under the obligation to serve at the meeting in the capacity of a Planning Commissioner until this item and that I was not expected to forego my career or my job in lieu of this. I was advised that this was entirely acceptable, although not a frequent occurrence, obviously.

Commissioner Schiff: That was the advice of the City's ethics officer?

Alissa Luepke-Pier: Yes, it was. I called to verify this. If you like, someone else could present this. I have no one else in my firm to present this on my behalf so it's...

Commissioner Schiff: I previously understood that Planning Commissioners were supposed to abstain if they were involved with a project and that abstention did not include the ability to present. A new ruling from the ethics officer as far as I'm concerned and it completely contradicts all previous rulings. I haven't talked to her myself. I'll just note my objections on the record.

Alissa Luepke-Pier: In that regard, I'll just go through the findings briefly and share our thoughts on it. This is in regard to both the R4 or R5 rezoning and whether or not it's consistent with the applicable policies of the Comp Plan. This is a map of the area showing other

multifamily dwellings. The red space highlights my client's property and you can see the blue highlighted spaces represented multifamily buildings in the area with densities exceeding three units, although, I would point out that most of the properties in the immediate area actually exceed five units. The Comp Plan calls for the highest densities to be concentrated around identified nodes and corridors...may include undesignated nodes and some other small scale uses and "not generally intended to accommodate significant new growth other than replacing existing buildings of similar density." It's not located on an officially designated land use feature such as a community corridor, which is actually on Lyndale Ave N, however, I feel it's extremely close proximity to another significant land use feature, and while it's not officially labeled as a community corridor, it should be recognized as an undesignated land use feature due to its importance to the neighborhood and quadrant of the city, recognizable by the recent placement of the avenue on the CLIC budget. The 26th Ave N, which my clients property is four sites down from 26th Ave N, it's one of the major traveled corridors in our community as it's the only one that connects the heart of the neighborhood to the Mississippi River and Theo Wirth, there's no other means or travel east across 94 unless you go to the northern or very southern edge of our neighborhood. As such, CLIC approved funding to start in 2015. I believe it would allow for a bike lane along 26th Ave. Furthermore, it's consistent with land use policy 1.1.5 which states that you should "ensure that land use regulations continue to promote development that is compatible with nearby properties and promote street life and activity." In placing this density in such close proximity to an up and coming bike corridor connecting the two major amenities of our community, does precisely that. Land use policy 1.8.1 states "promote a range of housing types and residential densities with the highest density development concentrated in and along the appropriate land use features." I would argue that 26th Ave bikeway qualifies an appropriate land use feature but I would also further point out that the earlier reference, the River First project, is actually southern bordered by 26th Ave N as well and begins from Lyndale all the way to the Mississippi River so the parcel in question would only be four properties from the River First park land. Housing policy 3.8.3 states that you should reduce the number of vacant and boarded buildings as well. As to the second required finding as to whether it's in the public interest and not solely in the interest of a single property owner, I don't dispute that it is in my client's best interest, but I would argue that rehabbing an existing structure is in the best interest of the city from a sustainability standpoint, but also that allowing higher densities along major corridors in a community not only supports the Comp Plan, but also eases the burden of heavy density from the neighborhood cores. I'd like to point out another map. This map shows roughly the entire Hawthorne neighborhood. I would imagine that when this was rezoned, because it had originally been zoned R5, when it was rezoned, to someone who wasn't present in the neighborhood, it might have seemed as though this is in the heart of the neighborhood and to keep higher densities along the perimeter but I would suggest that it wasn't considered that through our neighborhood it's really divided into quadrants. Lyndale Ave N bisects it north and south, 26th Ave N bisects it east and west. As such, it's good to concentrate density along major corridors such as Lyndale and 26th as well as the borders. This one represents Interstate 94. If it was located perhaps in this area, I think we'd all be questioning whether it'd be appropriate to have density there at all, but the fact that this whole entire area is designated as proposed future land use as R2B when in fact it's along two major corridors, which seems to be a missed opportunity to allow for density in a neighborhood that quite frankly needs quality rental housing. The third finding is whether the existing uses of the property and zoning classification of the property within the general area of the property are compatible with the proposed zoning classification in where the amendment is to change the zoning classification. There are numerous nonconformities as identified on the first map. In this immediate area you can see all the blue, which is all considered nonconforming. In a comparison study, here are two maps showing a really close up view of the site. The hashed out portion is my client's site. You can see that everything is zoned R2B. The next finding is

whether there are reasonable uses of the property in question. The answer to that is no. There are no other reasonable uses for this property under the R2B classification unless you consider remodeling an 11 unit building into a duplex to be practical. The fifth finding is whether there have been changes in character or trend in the general area of the property in question which has taken place since such property was placed in its present zoning classification where the amendment is to change the zoning classification. The major trend when this property was rezoned from R5 to R2B, I understand the intent, but if you look at it in terms of quadrants instead of thinking of that as the heart of the neighborhood, I would prefer if most of the density in the Hawthorne neighborhood was to be along the edges and perimeters rather than in the center. What we see now is a glut of multifamily units spread throughout the neighborhood rather than focused on the perimeter. Again, 26th Ave is not designated as a community corridor, but I almost think 26th Ave trumps it in importance as it is the only connector for our community to get outside of our neighborhood east or west. To reference a map of similar multifamily dwellings nearby, you can see that this would not be an anomaly among a sea of R2B; there are quite a few multifamily buildings in the adjacent area and I will show a few examples. This is my client's property, this is one block away to the east, this is one block away to the north, this is one lot to the south – a five unit building, this is adjacent to the other five unit building – it's also five units, and these are also in proximity in the same neighborhood so you can see that the multifamily buildings in Hawthorne are not...it's not an anomaly, it's a very common structure. I'm not proposing that we should do this everywhere, but I think given the location the former zoning, the existing building and their effort to be sustainable in the city that perhaps this is something that would be called for. To summarize, if this lot were located anywhere else in the neighborhood, such as the center, I would not be here standing before you because I could not in good faith advocate for it. Any of these alone would not in and of themselves justify the higher rezoning, but because of the unique location, it's history and the existing situation combined with the rezoning, I think it's an appropriate request. As for the variance, I think that I will just refrain from speaking on that because I think Becca's staff report sums it up nicely when she referenced that practical difficulties could be found for varying two percent if you approved the R4 zoning and the variance wouldn't be needed at all if you approved the R5.

Brian Finstad (2618 4th St N): I have a single family house on the adjacent block to this. Typically, this is something that I probably wouldn't support in other areas, but I do actually strongly support this. I realize that there are a lot of things that were just missed steps with the purchase and the zoning not being correct and everything, but if you just look at what really makes sense with the direction that the neighborhood is heading, this right here is going to be our connection to the river, but in addition, this is Washington, which is our main artery into downtown. Just the layout of Hawthorne is a little bit different than I think your typical neighborhood being that 26th is how we all get east and west. If you live in Hawthorne or Jordan you use 26th probably more than you'd use Broadway or Lowry. I live on this block here. This block has a lot of integrity to it. There's the nice concrete block townhomes, there's nice houses. The block here where Jonah's at, that block has vacant lots, three fire gutted structures, little tiny worker cottages in deplorable condition, slumlord housing and one of the things I just learned at our last housing and land use committee was that one of the things that got tabled with reduction to NRP funding was doing land use planning. I can't speak to say this block would have been where that land use planning would have gone, but it would've certainly made sense with how that block is decimated and with the River First stuff going through and with Washington being our connector into downtown it's a block that I think needs redevelopment. I personally believe in density. I used to live in south Minneapolis and I appreciated the vitality that density added to the neighborhoods. I don't agree, environmentally, with an 11 unit building going into a landfill for no reason. I've been to Jonah's building and I know Jonah. I know that it will be a quality

product. It's a neighborhood that density is a tough sell. It's a neighborhood where rental is a tough sell and landlords are a tough sell. The fact that Jonah has gotten the neighborhood behind him really speaks volumes.

Connie Nompelis (2951 Lyndale Ave N): For number two under the rezoning whether the amendment is in the public interest or interest of the property owner, this is truly in the public interest. The Hawthorne Neighborhood Council and individuals have repeatedly written letters and expressed support for saving this building. I think there are three main things that I see that show that this is in the public interest. One, saving this building and having it be rehabbed and occupied will help to reduce crime in this quadrant of our neighborhood. This is a vacant building on a severely blighted block so more eyes and activity on that block will help cut down crime. Crime was so severe on this block last year that the Minneapolis Police Department installed a camera so that neighbors would feel a little safer. There's a lot of vacancy there, a lot of lots and areas between properties where folks could sneak through and do various illegal things so more eyes and activity and more occupancy is something that I think will have a great positive impact. Having this building occupied will help increase density. Density is something we've been talking about in the Hawthorne neighborhood for a very long time. I think most of the neighbors support density, particularly along our corridors and most of us that live there feel that 26th is a corridor. I'm a real estate broker and I don't see anyone beating the doors down to build on those lots to increase density right now so bringing down an 11 unit building seems fool hearted and restoring this building seems like an easy way to preserve some amount of density. I think the restoration of this building will prove to be a source of neighborhood pride and inspiration. I have buying and occupying homes in transitional neighborhoods for a while now and I know that being one of few home owners on a block that's very blighted is difficult and so when we see neighbors fixing up their properties whether they are multifamily or single family it's a source of inspiration. There are some homeowners on this block that I never see walking out in the street, presumably because they're afraid or they don't like to see the vacancy and blight on their block so I really believe that knowing Jonah and knowing the plans he has for this property that he'll do a good job. I think it will be a great source of pride and hopefully have ripple effects in our neighborhood.

Jeff Skrenes (1500 22nd Ave N): I'm the housing director, a staff person for the Hawthorne Neighborhood Council. I'd like to speak to two items on the staff report. First of all, it's been touched on a little bit for the need for more density in Hawthorne and why adding density will serve as a public and community benefit and not just a benefit to an individual property owner. North Minneapolis lost over 7000 residents between the 2000 and 2010 census and that doesn't factor in the tornado. Hawthorne bore the brunt of that loss of density, we lost over 1400 residents from the Hawthorne community alone. When we talk about the ability to add ten more units of housing to Hawthorne, that's a community benefit that's sorely needed. Why here? Why at 2510 4th St N? That specifically speaks to whether this particular proposal is in conformity with the Minneapolis Plan. It's already been mentioned a little bit about the 26th Ave corridor which is not designated on paper as a community corridor; I would argue that 26th Ave already functions as a community corridor in Hawthorne whether it's recognized yet or not. When we see the additions that will be coming along the 26th Ave corridor with the greenway and bike lanes with the River First plan being implemented and hopefully the Far View land bridge, even if that doesn't happen for a while, 26th Ave is going to be beefed up. There's going to be more amenities along that corridor that draw residents to the corridor and that draw people across the city to 26th Ave. The use of 26th Ave N as a community corridor is only going to increase over time. Furthermore, 4th St N, where the property sits, that's the only two way, besides Lyndale Ave, it's the only two way street that connects West Broadway to Lowry Ave in the residential corridor of Hawthorne. A lot

of people use 4th St N as well to get in between our two main arteries on Broadway and Lowry or even just to get a little bit of an easier access to turn on to Highway 94. This property sits in an area that would be specifically served by density. With that in mind, I know there's several different aspects of a zoning request that Mr. Bridger is requesting because there are a few different ways he could approach it. I trust your judgment on which of those is the best, but I implore you to grant his request for the variance. Thank you.

Carey Howell (411 22nd Ave N): 26th St goes from Washington all the way through Hawthorne through east and west and connects Washington and 4th which we use to get on and off the freeway [tape ended]...24th, 25th and 26th are very heavily used roads and this building has just been sitting there for years and it's incredibly unique. Those are one bedroom apartments, it's not like they're five bedrooms or anything like that so we're hoping that single people or students come into our neighborhood to get more of a mix. We're a very troubled neighborhood and a lot of us are starting to support density. We've known Jonah quite a while and he's proven himself to be an appropriate kind of land lord that we'd be happy to have in our neighborhood. It seems to me that we have to do something with this property. It does not make sense to make it into a duplex. It doesn't make sense to tear it down and we need the tax base, the density and the eyes on the street and it's close to 26th and has a bike lane. A lot of things are going to be happening in that area, soon hopefully. We need this. It's not that he needs it, we need it as a community. Thank you.

Erik Lindberg (3010 N 6th St): I joined the Hawthorne Neighborhood Council about two years ago. I originally was not for this project because rental is a dirty word in north Minneapolis. Over that time, I've come to change my mind on rental. We need good rental and don't necessarily have that right now. Specially, the 26th Ave issue, it's not a designated corridor, however, all the residents use it as a corridor. Just last week I was sitting on my friends porch on 4th and we saw five police cars race down 26th to go to Holiday. After it was over, ten minutes later, they all took 26th back and dispersed. It might not be designated but we all use it and it is effectively a corridor. Thanks.

David Piehl (3127 2nd Ave S): I also have a long history of fussing loudly about city subsidies, especially the big one recently. The way I look at this project is that it's really good for the neighborhood that a private party is willing to go in and restore a property to its former use. It's been a multiplex for 50 years, that's what it was built for. The likely alternative would be that it gets demolished and sits vacant like a lot of land around it and then takes a significant public subsidy to ever be put to productive use again and the public doesn't have that many dollars left so I think it's really important from that perspective and the neighborhood is supporting density. How often do you get a dozen letters from a neighborhood organization supporting a landlord?

Jonah Bridger (2510 4th St N): I brought this property. It wasn't a mistake, but I will admit I was really naive. It's been three years and I approached it with a passion. I saw a blighted building in a blighted neighborhood. I saw 11 units that done right, once I repaired them, I could manage them or oversee management of them. I could bring in the big guns to do the management while I worked as a caretaker and got to see how well they did it. I've always had the same message since I bought the building and that's another reason that people believe in me, I haven't changed. I want to repair the building according to code, get outside property management that was solid. I'm a member of the multi housing association even though I'm not a big landlord. I get an established property management company and the petition local precincts for maybe a rookie cop that might appreciate reduced rent just to live there while I'm living in the building as well. I saw a chance to not only better myself but help positively change

a community. At the time it looked like a win/win scenario but it's been three years and that learning curve was huge. I had a glimpse and I've watched the foreclosures, demolitions and vacant buildings just destroy this neighborhood. I had an idea that it was coming. The idea was to use the building to bring in fresh minds because, to me, I saw a vacant building as an opportunity to own quality real estate. Granted, it's old but it's quality if you can only take the time to restore it. A lot of that is gone now, but the dream is still there that the only way you're going to help get a blighted neighborhood with a history of being a combat zone is by changing the reputation and you don't do that from the outside. That's always been part of the plan is to bring in people that aren't aware that what was making this neighborhood bad is actually gone. Last year was probably the worst because I'm working in that building just cleaning it up from 11:00 a.m. to 3:00 p.m and gun shots were going off while I was there. I mounted eight cameras on top of that building at the same time the cops put in a trailer came. Since then, a lot of the activity has died down. They've stated how 26th is a corridor. There's a stoplight at 26th and 4th St that's four houses down from where this building is at. It's easier to go that way, down and around Washington than it is to go down to Broadway or the Lake. Traffic is sometimes ridiculous, but those of us who know the neighborhood know the easy way around. I've reviewed this several times over and while staff cannot specifically endorse the rezoning, they put in plenty of details that actually support it, but they can't officially take that stance. If you do approve it, there's plenty of evidence to support the use and viability and it's use in accordance with the master plan to help sustain this neighborhood and help preserve the real estate in this neighborhood. Without your approval it becomes another vacant lot which this neighborhood has seen too much of.

President Motzenbecker closed the public hearing.

Commissioner Schiff: I'm going to echo the words of one of the members of the Hawthorne group and say that when I first looked at this project I didn't think I'd support it, but one thing I've learned from the Hawthorne neighborhood is that they know what's best for their neighborhood and they only want the best and that's what they fight for. I think the example shown in photos of some of the other buildings in the area shows there is a mixture of three story rentals and two story single family homes so this is not as out of character as it might first appear and it has been there for a long time. Conforming the zoning to the site will allow private investment to take place. We've heard again and again from private property owners that when buildings are not conforming they can't get the mortgages, they can't get the insurance and what you end up with is disinvestment in the neighborhood. I had a building like this in my ward, it had eight units, a rezoning was denied and the owner came back in the R2B district with two four bedroom units. The neighborhood was quite dismayed at that result. I think the fact that this is one bedroom units is one of the reasons why this will be helpful for the neighborhood that's trying to fight the loss of people that they've seen. I would move approval of the R4 zoning and then move the 2% lot area variance that's required as well (Huynh seconded).

Motzenbecker: Rezoning from R2B to R4 and the lot area variance.

Commissioner Huynh: I think the only item I'm going to add is that if it wasn't new development I think my stand on the development would be a little different just because it is an existing condition; it's been operating as multifamily housing since the certificate was issued in 1966. For those reasons, I am in agreement with the 26th Ave; it functions more like a community corridor than it does a neighborhood street and also for the fact that the options are to rehab an existing 11 unit development or the other option is that's not really feasible is to turn it into a

duplex which I don't really think serves the city or the public well. Having additional eyes on the street would be a benefit to this neighborhood. I support the motion.

Commissioner Schiff: I move approval of the site plan review with the conditions from staff and I think particularly the fenced in parking area is going to help a lot to control the site.

President Motzenbecker: Hilary, you have some additional conditions?

Staff Dvorak: Yes, I'll read them:

1. Planning staff review and approval of the final site elevation and landscaping plans.
2. All site improvements shall be completed by June 11, 2013 unless extended by the Zoning Administrator or the permit may be revoked for noncompliance.
3. The stucco exterior of the building shall be repaired and repainted.
4. A final landscape plan shall be submitted that includes a more diverse planting plan and accompanying landscape plan that includes planting that explicitly lists proposed vegetation.
5. The site plan shall be modified to include landscaping along the north and south property lines as required by Section 530.170 of the zoning code.
6. The site plan shall be modified to meet the landscaping and screening standards along the east property line as required by Section 530.170 of the zoning code.

Aye: Huynh, Kronzer, Schiff, Tucker and Wielinski; Luepke-Pier recused, Mammen not present for vote.

Nay: Cohen

The motion carried 5-1.

President Motzenbecker: I'll move staff recommendation of the rezoning for A (Tucker seconded).

Aye: Cohen, Huynh, Kronzer, Schiff, Tucker and Wielinski; Luepke-Pier recused, Mammen not present for vote.

The motion carried 6-0.