Department of Community Planning and Economic Development – Planning Division
Rezoning, Conditional Use Permit, Variances and Site Plan Review
BZZ-5567

Date: June 11, 2012

Applicant: Opus Development Corporation

Address of Property: 616-630 Washington Avenue SE, 308 Walnut Street

Project Name: Washington and Walnut Flats

Contact Person and Phone: Carol Lansing, Faegre Baker Daniels LLP, (612) 766-7005

Planning Staff and Phone: Kimberly Holien, (612) 673-2402

Date Application Deemed Complete: May 10, 2012

End of 60-Day Decision Period: July 9, 2012

End of 120-Day Decision Period: On June 4, 2012 staff sent a letter to the applicant extending the 60-day decision period to September 7, 2012.

Ward: 2 **Neighborhood Organization:** University

Existing Zoning: C1, Neighborhood Commercial district; TSA PO, Transit Station Area Pedestrian Oriented Overlay district; UA, University Area Overlay district

Proposed Zoning: C3A, Community Activity Center district

Zoning Plate Number: 22

Lot area: 21,864 square feet

Legal Description: The West 45 feet of the North 44 feet of Lot 5, Block 31, ST. ANTHONY CITY, Hennepin County, Minnesota; and the North 22 feet of Lot 4; all of Lot 5 except the West 45 feet of the North 44 feet of said Lot 5; all in Block 31, ST. ANTHONY CITY, Hennepin County, Minnesota; and the South 44 feet of Lot 4, Block 31, ST. ANTHONY CITY, Hennepin County, Minnesota.

Proposed Use: Construction of a 6-story, mixed-use building with 98 dwelling units.

Concurrent Review:

- Rezoning from C1, Neighborhood Commercial district to C3A, Community Activity Center district.

- 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.
- 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.
- Variance to allow an increase in the maximum allowable floor area ratio (FAR) from 4.32 to 4.7.
- Variance to reduce the required east front yard setback from 15 feet to 0 feet.
- Variance to reduce the required south side yard setback from 15 feet to 0 feet.
- Variance to reduce the required west side yard setback from 15 feet to 0 feet.
- Variance to the Pedestrian Oriented Overlay District standards to increase the width of the curb cut from 20 feet to 24 feet.
- Variance to the Pedestrian Oriented Overlay District standards to increase the maximum front yard setback from eight feet to 14.5 feet for the residential entry.
- Variance to reduce the off-street vehicle parking requirement from 88 spaces to 49 spaces.
- Site Plan Review for a 6-story, mixed-use building with 98 dwelling units.

Applicable zoning code provisions: Chapter 525: Article VII Conditional Use Permits, 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," Section 525.520 (2) "to vary the lot area or lot width requirements up to 30 percent," Section 525.520 (3) "to vary the gross floor area, floor area ratio and seating requirements of a structure or use," Section 525.520 (6) "to vary the applicable minimum and maximum number of required off-street parking, stacking or loading spaces," Section 525.520 (20) "to vary the standards of any overlay district, other than the SH Shoreland Overlay District or the FP Floodplain Overlay District and Chapter 530 Site Plan Review.

Background: The development site is located in the southwest corner of the intersection of Washington Avenue SE and Walnut Street. The site is comprised of three parcels and is currently occupied by a minor auto repair use with surface parking, a restaurant and a residential duplex. The applicant proposes to demolish the existing structures and construct a new 6-story, 98-unit mixed use building with 11,172 square feet of ground floor commercial space and one level of below grade parking. The property is zoned C1, Neighborhood Commercial district and is located in the Transit Station Area Pedestrian Oriented Overlay and University Area Overlay districts. The applicant is requesting rezoning (base zoning) to the C3A, Community Activity Center district.

The principal residential entrance to the building will be located along Washington Avenue SE and will open into a lobby. The unit mix for the residential component is 20 studio units, 19 one-bedroom units and 59 two-bedroom units. The floor plan shows five commercial tenant spaces all oriented towards and accessed from Washington Avenue SE. The underground parking will be accessed from Walnut Street. Residential amenities include a fitness center on the second floor and a community room on the sixth floor.

Several variances have been requested for the project. The maximum floor area ratio for properties in the C3A district is 2.7. The site qualifies for one 30 percent bonus by enclosing all of the vehicle parking and a second 30 percent bonus for providing commercial uses for more than 50 percent of the ground floor. The bonuses increase the maximum floor area ratio to 4.32. The applicant is proposing a 102,538 square foot building on a 21,864 square foot lot for a floor area ratio of 4.7. A variance has been requested accordingly.

Multiple-family developments in the C3A District require 400 square feet of lot area per dwelling unit. The site qualifies for one 30 percent density bonus by enclosing all of the vehicle parking and a second 30 percent bonus for providing commercial uses for more than 50 percent of the first floor. These density bonuses reduce the minimum lot area requirement to 254 square feet per dwelling unit. The applicant is proposing 98 units on a 21,864 square foot lot, resulting in a minimum lot area of 222 square feet per dwelling unit. A variance has been requested to reduce the minimum lot area by 12.3 percent.

Where a street frontage includes a property zoned as a residence or office residence district or includes structures used for permitted or conditional residential purposes and property zoned for commercial purposes, a front yard equal to the lesser of the front yard required by such residence or office residence district or the established front yard of a residential structure shall be provided in the commercial district for the first 40 feet from such residence or office residence district boundary. The parcel to the south, fronting on Walnut Street, is zoned R6 and the front yard setback requirement in the R6 district is 15 feet. No residential structures are established on said lot. Therefore, a minimum front yard setback requirement of 15 feet applies for the first 40 feet of the subject site, as measured from the south lot line. The building will have a zero-foot setback from this front lot line and a setback variance from 15 feet to zero has been requested accordingly.

Residential uses in the C3A district have a minimum side yard setback requirement of 5+2x, but not more than 15 feet, where the use contains windows facing an interior side yard or rear yard. Further, when a rear lot line abuts a side or rear lot line of a residence of office residence district, or a structure used for permitted or conditional residential purposes, a yard equal to the minimum side yard that would be required on the abutting residential lot shall be provided. The south elevation contains residential windows and the south side lot line abuts a parcel that is zoned R6. The required south side yard setback for the proposed six-story structure is 15 feet. The first floor of the building will be located directly on the property line and a setback variance from 15 feet to zero has been requested accordingly. The west elevation also contains residential windows and the first floor of the building is located directly on the property line. A transformer pad is also located in the southwest corner of the site. A variance from 15 feet to zero has been requested for the west side yard setback.

The Pedestrian Oriented Overlay district (PO) has a maximum setback requirement of eight feet for front yards and corner side yards, except where a greater yard is required. Along the north property line the applicant is proposing a maximum front yard setback of 14.5 feet for the residential entry portion of the building. A variance from eight feet to 14.5 feet has been requested. In addition, the PO district limits the maximum width of driveways to 20 feet of

street frontage. The curb cut into the site from Walnut Street will be 24 feet in width and a variance has been requested.

The minimum vehicle parking requirement for the residential component is .5 spaces per bedroom, but not less than one space per dwelling unit, and there is no commercial parking requirement. In this case, there are 98 dwelling units and 157 bedrooms so the requirement is one space per dwelling unit. The site qualifies for a ten percent reduction in parking due to its inclusion in the Transit Station Area Pedestrian Oriented Overlay district. The reduced parking requirement for the use is 88 stalls. The applicant is providing 49 parking stalls and has requested a variance accordingly.

The site is in the University neighborhood. However, because this is not an active neighborhood group, the applicant has notified the Prospect Park/East River Road Improvement Association (PPERRIA). Staff received a letter from PPERRIA dated May 21, 2012, recommending approval of the parking variance. The letter did not address any of the other applications. Any additional correspondence received will be forwarded on to the Planning Commission for consideration.

REZONING: (from C1, Neighborhood Commercial district to C3A, Community Activity Center district)

Findings as required by the Minneapolis Zoning Code:

1. Whether the amendment is consistent with the applicable policies of the comprehensive plan.

The Minneapolis Plan for Sustainable Growth identifies this site as Mixed Use on the future land use map. The site is within the boundaries of an Activity Center and near a Growth Center. The site is also within one-half mile of a transit station. According to the Principles and Polices outlined in the comprehensive plan, the following apply to this proposal:

Land 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.

1.1.4 Support context-sensitive regulations for development and land use, such as overlay districts, in order to promote additional land use objectives.

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.

Land Use Policy 1.3: Ensure that development plans incorporate appropriate transportation access and facilities, particularly for bicycle, pedestrian, and transit.

1.3.1 Require safe, convenient, and direct pedestrian connections between principal building entrances and the public right-of-way in all new development and, where practical, in conjunction with renovation and expansion of existing buildings.

1.3.2 Ensure the provision of high quality transit, bicycle, and pedestrian access to and within designated land use features.

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

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

Land Use Policy 1.12: Support Activity Centers by preserving the mix and intensity of land uses and by enhancing the design features that give each center its unique urban character.

1.12.1 Encourage a variety of commercial and residential uses that generate activity all day long and into the evening.

1.12.2 Encourage mixed use buildings, with commercial uses located on the ground floor and secure entrances for residential uses.

1.12.5 Encourage a height of at least two stories for new buildings in Activity Centers, in keeping with neighborhood character.

1.12.6 Encourage the development of high- to very-high density housing within the boundaries of Activity Centers.

Land Use Policy 1.13: Support high density development near transit stations in ways that encourage transit use and contribute to interesting and vibrant places.

1.13.1 Encourage pedestrian-oriented services and retail uses as part of higher density development near transit stations.

1.13.5 Concentrate highest densities and mixed use development adjacent to the transit station and along connecting corridors served by bus.

Land Use Policy 1.15: Support development of Growth Centers as locations for concentration of jobs and housing, and supporting services.

1.15.3 Encourage the development of high- to very high-density housing within Growth Centers.

Housing Policy 3.1: Grow by increasing the supply of housing.

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

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

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.

The applicant is proposing a 98-unit mixed use development on a lot that is .5 acres in size. The resulting density is approximately 196 dwelling units per acre. This level of density fits into the very high density category per *The Minneapolis Plan for Sustainable Growth*, which identifies this density category as development with 120-200 dwelling units per acre. This level of density is appropriate at the center of an Activity Center, in a Transit Station Area and near a Growth Center.

2. Whether the amendment is in the public interest and is not solely for the interest of a single property owner.

A rezoning to the C3A district would be considered in the interest of both the property owner and the public as it would allow for greater density and a more diverse set of commercial and cultural uses in an Activity Center and directly adjacent to the Central Corridor LRT line. This level of density is supported by adopted City policy and would support the Comprehensive Plan by supporting high density development near transit stations to encourage transit use and contribute to the vibrancy of the Activity Center.

3. Whether the existing uses of property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification, where the amendment is to change the zoning classification of particular property.

The site is currently zoned C1, Neighborhood Commercial district. The property directly north of the site is zoned C3A and contains a hotel use. The properties to the south are zoned R6 and contain parking facilities. The property across Walnut Street to the east is zoned C1, as is the property directly west of the site. The surrounding area contains a mix of commercial and residential uses, including some high density residential projects that have been approved in recent years. The site is located within the boundaries of a designated Activity Center, near a Growth Center and near a transit station for the Central Corridor LRT line, which will run directly in front of the property. The proposed C3A zoning would be appropriate in this location and compatible with existing uses of property in the general vicinity.

4. Whether there are reasonable uses of the property in question permitted under the existing zoning classification, where the amendment is to change the zoning classification of particular property.

There are reasonable uses of the property permitted in the current C1 zoning classification. However, the uses allowed in the current zoning district would likely result in the underutilization of the subject site in regard to residential density due to the area in which the parcel is located. The proposed zoning is more compatible with adopted City policies and more reasonable for the site. Planning Staff has included an attachment to the staff report which further details the differences between the existing and proposed zoning classification for the site.

5. Whether there has been a change in the character or trend of development 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 of particular property.

Under the 1963 Zoning Code, the subject properties were zoned B3-2 and B3S-2 (Community Service District). There has been an ongoing change in the character and trend of development within the general area due to the proximity of the site to the University of Minnesota and the construction of the Central Corridor LRT line. Further, due to the immediacy to C3A zoning as well as the fact that the subject properties are located within a designated Activity Center, staff believes that the rezoning request is reasonable, appropriate and consistent with adopted policy.

<u>CONDITIONAL USE PERMIT</u> : (to increase the maximum height in the C3A district from 4 stories, 56 feet to 6 stories, 84.5 feet.)

Findings as Required by the Minneapolis Zoning Code:

The Community Planning and Economic Development Department – 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 be detrimental to or endanger the public health, safety, comfort or general welfare.

The maximum height in the C3A district is 4 stories or 56 feet. The applicant is proposing a building height of 73’4”. The plans originally submitted for the project showed a “lantern” roof element that increased the height of the building to 84.5 feet. The applicant has since removed this feature and the maximum building height is now 6 stories, 73’4”. Staff does not believe that allowing a new 6-story structure with a maximum height of 73’4” would be detrimental to or endanger the public health, safety, comfort or general welfare. The proposed project accommodates a mixed-use development at a residential density that is desired near a future LRT corridor. Further, there are developments of relative comparable

height located within the immediate vicinity. The parking ramp to the south is six stories in height. The hotel to the north is approximately eight stories and to the southeast there is a six-story building. The applicant has provided shadow studies that illustrate the impact on surrounding properties, which would be minimal.

2. Will be injurious to the use and enjoyment of other property in the vicinity and will impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.

This property is located in a fully developed area and allowing additional height is not expected to be injurious to the use and enjoyment of other property in the vicinity nor should it impede on possible future development. The subject development site is located directly on the Central Corridor LRT line and is within a transit station area. Adopted City policies encourage both high and very high density mixed-use development in this location. In order to achieve the desired density in a sensitive manner, an increase in height above the district standards is appropriate.

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

The site is served by existing infrastructure and would be accessed from Walnut Street. The Public Works Department has reviewed the preliminary plans and will review the final plans for compliance with standards related to access and circulation, drainage, and sewer/water connections. The applicant would be required to work closely with the Public Works Department, the Plan Review Section of the Inspections Department and the various utility companies during the duration of the development should the plan be approved. This would be required to ensure that all procedures are followed in order to comply with city and other applicable requirements.

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

The additional height of the development should have no effect on the traffic congestion in the area. Once the Central Corridor LRT line is constructed, Washington Avenue SE will be closed to vehicular traffic west of Walnut Street. While the site requires a parking variance from 88 stalls to 49 stalls, staff does not believe that the proposed use will contribute to traffic congestion due to the public transit available in the area. Off-street parking for the proposed development is further analyzed below in the variance section of the staff report.

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

The Minneapolis Plan for Sustainable Growth identifies this site as Mixed Use on the future land use map. The site is within the boundaries of an Activity Center and near a Growth Center. The site is also within one-half mile of a transit station. According to the Principles and Polices outlined in the comprehensive plan, the following apply to this proposal:

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

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

Land Use Policy 1.12: Support Activity Centers by preserving the mix and intensity of land uses and by enhancing the design features that give each center its unique urban character.

1.12.1 Encourage a variety of commercial and residential uses that generate activity all day long and into the evening.

1.12.3 Encourage mixed use buildings, with commercial uses located on the ground floor and secure entrances for residential uses.

1.12.5 Encourage a height of at least two stories for new buildings in Activity Centers, in keeping with neighborhood character.

1.12.7 Encourage the development of high- to very-high density housing within the boundaries of Activity Centers.

Land Use Policy 1.13: Support high density development near transit stations in ways that encourage transit use and contribute to interesting and vibrant places.

1.13.1 Encourage pedestrian-oriented services and retail uses as part of higher density development near transit stations.

1.13.5 Concentrate highest densities and mixed use development adjacent to the transit station and along connecting corridors served by bus.

Land Use Policy 1.15: Support development of Growth Centers as locations for concentration of jobs and housing, and supporting services.

1.15.4 Encourage the development of high- to very high-density housing within Growth Centers.

Housing Policy 3.1: Grow by increasing the supply of housing.

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

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

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.

The applicant is proposing a height of six stories within an activity center and directly on a transit line. The proposed height would allow for additional residential density and would be consistent with the land use policies above.

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

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

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.

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

With the approval of the conditional use permit, variances and site plan review this development would be in conformance with the applicable regulations of the zoning code, as evaluated below.

ADDITIONAL STANDARDS TO INCREASE MAXIMUM HEIGHT

In addition to the conditional use standards, the city planning commission shall consider, but not be limited to, the following factors when determining the maximum height:

1. Access to light and air of surrounding properties.

This development would not be expected to have significant impacts on the amount of light and air that surrounding properties receive. Staff would expect some minimal effects on the adjacent non-residential uses according to the attached shadow survey.

2. Shadowing of residential properties or significant public spaces.

There are no residential properties immediately adjacent to the site that would be impacted by shadowing. A large open space is located northeast of the site. Based on the shadow study provided, the proposed building on the subject site will have some minimal shadowing impacts on this open space, primarily in the winter months.

3. The scale and character of surrounding uses.

The scale and character of the buildings as well as the architectural styles of the surrounding properties in this area are varied. Staff believes that the proposal is compatible with the scale and character of other buildings in the area. There are buildings immediately adjacent to the site that are six stories in height. Other structures in the immediate area vary in height from 2-stories to 8-stories. Additionally, there are buildings substantially taller than six stories within several blocks of the site. The design and allocation or distribution of height on site would be compatible with the surrounding uses.

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

There are no landmark buildings, significant open spaces or water bodies near the development site that would be affected by the height of the proposed building.

VARIANCE: (to reduce the required minimum lot area per dwelling unit from 254 square feet to 222 square feet.)

Findings as Required by the Minneapolis Zoning Code for the Variance:

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 lot area requirement in the C3A district is 400 square feet per dwelling unit. The site qualifies for a 30 percent density bonus by enclosing all of the vehicle parking and a second 30 percent bonus for providing commercial uses for more than 50 percent of the first floor. These density bonuses reduce the minimum lot area requirement to 254 square feet per dwelling unit. The applicant is proposing 98 units on a 21,864 square foot lot, resulting in a minimum lot area of 222 square feet per dwelling unit. The requested variance is 12.3 percent.

Practical difficulties exist in complying with the ordinance due to City policies that call for very high density development in this location. The circumstances could be considered unique to the parcel of land as geographically the site is located within a designated Activity Center and near the designated Growth Center related to the University of Minnesota. Further, the site is located directly on the Central Corridor LRT line and in close proximity to a transit station. City policies call for high to very high density development in Activity Centers and near Growth Centers and high density development is encouraged adjacent to transit stations. These circumstances 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.

The applicant is generally proposing small dwelling units with a maximum of two bedrooms each. It would be possible for the building configuration to be modified to include larger units with the same number of bedrooms overall. However, larger units are generally not supported by the neighborhood group and modifying the floor plan would have little effect on the impact of the use. Allowing a reduction in the minimum lot area to accommodate this number of units is reasonable.

Lot area requirements are established to ensure compatibility with surrounding uses. The surrounding area contains a mix of commercial uses and an 8-story hotel. The 98 dwelling units proposed would be compatible with the surrounding area. The requested variance would result in a density of 196 dwelling units per acre which is considered very high density. This level of density is supported by *The Minneapolis Plan for Sustainable Growth*.

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.

The surrounding area contains a mix of commercial uses and an 8-story hotel. There are two high-density residential developments currently under construction within two blocks of the site. The 98 dwelling units proposed would be compatible with the surrounding area. As stated above, the site is located within an Activity Center, near a Growth Center and within a Transit Station Area. City policies call for high to very high density development in Activity Centers and near Growth Centers and high density development is encouraged adjacent to transit stations. The proposed number of units would not be detrimental to the health, safety or welfare of the general public or those utilizing nearby properties.

<u>VARIANCE:</u> (to increase the maximum floor area ratio from 4.32 to 4.7)

Findings as Required by the Minneapolis Zoning Code for the Variance:

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 maximum floor area ratio for properties in the C3A district is 2.7. The site qualifies for one 30 percent bonus by enclosing all of the vehicle parking and a second 30 percent bonus for providing commercial uses for more than 50 percent of the first floor. The bonuses increase the maximum allowable floor area ratio to 4.32. The applicant is proposing a 102,538 square foot building on a 21,864 square foot lot for a floor area ratio of 4.7. The square footage proposed is 8,085 square feet in excess of the maximum allotment.

As stated above, practical difficulties exist in complying with the ordinance due to City policies that call for very high density development in this location. The circumstances could be considered unique to the parcel of land as geographically the site is located within a designated Activity Center and near the designated Growth Center related to the University of Minnesota. Further, the site is located directly on the Central Corridor LRT line and in close proximity to a transit station. City policies call for high to very high density development in Activity Centers and near Growth Centers and high density development is encouraged adjacent to transit stations.

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.

Planning Division staff believes that the FAR proposed is a reasonable request based on the location of the site; specifically its proximity to the University of Minnesota campus, a designated growth center, and the fact that it is within the boundaries of an Activity Center and a future Transit Station Area. Each of these land use features is associated with policies for high density development in *The Minneapolis Plan for Sustainable Growth*.

Building bulk regulations are established in order to assure that the scale and form of new development will occur in a manner most compatible with the surrounding area. The surrounding area is developed with various commercial uses and a hotel, many of which are on densely developed properties. As previously mentioned, adopted City policies and goals encourage this type of proposed development in Activity Centers, Transit Station Areas and Growth Centers. Allowing the proposed floor area ratio would therefore 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.

The surrounding area contains a mix of commercial uses and an 8-story hotel. Allowing the proposed building at the requested floor area ratio would not alter the essential character of the locality or be injurious to the use and enjoyment of other property in the vicinity. There are two high-density residential developments currently under construction within two blocks of the site. The proposed bulk would be compatible with the surrounding area. As stated above, the site is located within an Activity Center, near a Growth Center and within a Transit Station Area. City policies call for high to very high density development in Activity Centers and near Growth Centers and high density development is encouraged adjacent to transit stations.

<u>VARIANCE:</u> (to reduce the required east front yard setback from 15 feet to 0 feet)

Findings as Required by the Minneapolis Zoning Code for the Variance:

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.

Where a street frontage includes a property zoned as a residence or office residence district or includes structures used for permitted or conditional residential purposes and property zoned for commercial purposes, a front yard equal to the lesser of the front yard required by such residence or office residence district or the established front yard of a residential structure shall be provided in the commercial district for the first 40 feet from such residence or office residence district boundary. The parcel to the south, fronting on Walnut Street, is zoned R6 and the front yard setback requirement in the R6 district is 15 feet. No residential structures are established on said lot. Therefore, a minimum front yard setback requirement of 15 feet applies for the first 40 feet of the subject site, as measured from the south lot line. The building will have a zero-foot setback from this front lot line and a setback variance from 15 feet to zero has been requested accordingly. A loading space is also shown within the required front yard. However, the applicant has been working with Public Works to obtain permission for an on-street loading zone. Staff is recommending that the on-site loading zone be removed.

Practical difficulties exist in complying with the ordinance. There are two parcels on the same block face fronting on Walnut Street that are residentially zoned. The residential zoning on these two parcels results in the need for a setback variance along the front property line. The residential property directly south of the site is a through lot that is only 24 feet in width along Walnut Street and functions as a driveway in this location. This portion of the lot that fronts on Walnut Street is not likely to be developed for residential purposes due to the width of the lot. The second residential parcel to the south, while zoned R6, contains a parking ramp that serves the nearby hospital. Said ramp is located directly up to the front lot line along Walnut Street. These circumstances are unique in that the residentially zoned parcels do not contain residential structures and the setback of the proposed mixed use building will match the established setback of the only other structure on this block face.

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 request to allow a reduced setback along the east property line is reasonable. The applicant is proposing to locate the building directly up to the property line. The proposed setback will match the established setback of the only other structure on this block face. Granting this setback variance would be in keeping with the spirit and intent of the ordinance and 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. The urban design policies of the comprehensive plan also address this issue in

calling for building placement to allow light and air into the site and surrounding properties. The building is designed in a manner that would allow for adequate access to light and air for the subject site and the adjacent property and would provide an adequate separation of uses. As stated above, the residential property directly to the south is a through lot that is unlikely to be redeveloped in a manner that would include a structure fronting on Walnut Street, due to the width of the lot.

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.

The surrounding area contains a mix of commercial and residential uses. Several other buildings in the immediate area are built from lot line to lot line with no setbacks, including the parking ramp directly south of the site. As such, the proposed setback would not alter the character of the locality or be injurious to the use and enjoyment of adjacent properties. The proposed setback would not be detrimental to the health, safety or welfare of the general public or those utilizing nearby properties.

VARIANCE: (to reduce the required south side yard setback from 15 feet to 0 feet)

Findings as Required by the Minneapolis Zoning Code for the Variance:

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.

Residential uses in the C3A district have a minimum side yard setback requirement of 5+2x, but not more than 15 feet, where the use contains windows facing an interior side yard or rear yard. Further, when a rear lot line abuts a side or rear lot line of a residence of office residence district, or a structure used for permitted or conditional residential purposes, a yard equal to the minimum side yard that would be required on the abutting residential lot shall be provided. The south elevation contains residential windows and the south side lot line abuts a parcel that is zoned R6. The required south side yard setback for the proposed six-story structure is 15 feet. The first floor of the building will be located directly on the property line and a setback variance from 15 feet to zero has been requested accordingly. A transformer pad is also shown in the southwest corner of the site and would be four feet from the lot line.

Practical difficulties exist in complying with the ordinance. The setback requirement is based on the windows proposed on this elevation and the adjacent residential zoning. As stated above, the portion of the lot to the south that is directly adjacent to the site is only 24 feet in width and is not likely to be redeveloped. While the height of the building is responsible, in part, for the degree of variance requested, the proposed height is not inappropriate given its location in an Activity Center and within a Transit Station Area. Requiring the building to

comply with the setback requirements along this property line would also create practical difficulties in complying with established policies for very high density development in this location. Furthermore, this is the most appropriate location on the site for the transformer because of the limited visibility of this corner of the site. 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.

The request to allow a reduced setback along the south property line is reasonable. The applicant is proposing to locate the first floor of the building directly on the property line. The first floor of the building will not contain any windows. The parking garage access and leasing office are located along the south wall. Windows proposed on the upper floors will be recessed a minimum of 3.5 feet from the property line. The center of the building will step back to 31 feet to allow for additional windows. The transformer pad will be setback four feet from the south property line.

Granting this setback variance would be in keeping with the spirit and intent of the ordinance and 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. The urban design policies of the comprehensive plan also address this issue in calling for building placement to allow light and air into the site and surrounding properties. The building is designed in a manner that would allow for adequate access to light and air for the subject site and the adjacent property and would provide an adequate separation of uses. The difficulty in developing the parcel to the south due to its width helps to ensure long-term separation of uses and access to light and air. The portions of the building that would contain windows would be recessed a minimum of 3.5 feet and up to 31 feet.

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

The surrounding area contains a mix of commercial and residential uses. Several other buildings in the immediate area are built from lot line to lot line with no setbacks. As such, the proposed setback would not alter the character of the locality or be injurious to the use and enjoyment of adjacent properties. The proposed setback would not be detrimental to the health, safety or welfare of the general public or those utilizing nearby properties. Per the building code, glazing up to 15 percent of the wall area is allowed at a setback between three and five feet and the proposed design is consistent with that requirement. However, it should be noted that if the adjacent property were redeveloped to include a non-residential building, or a residential building or hotel without windows, said building could be constructed right up

to the shared property line which would impact those windows that are located closest to the property line.

<u>VARIANCE:</u> (to reduce the required west side yard setback from 15 feet to 0 feet)

Findings as Required by the Minneapolis Zoning Code for the Variance:

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.

Residential uses in the C3A district have a minimum side yard setback requirement of 5+2x, but not more than 15 feet, where the use contains windows facing an interior side yard or rear yard. Further, when a rear lot line abuts a side or rear lot line of a residence of office residence district, or a structure used for permitted or conditional residential purposes, a yard equal to the minimum side yard that would be required on the abutting residential lot shall be provided. The west elevation contains residential windows and the first floor of the building is located directly on the property line. A transformer pad is also located in the southwest corner of the site. A variance from 15 feet to zero has been requested for the west side yard setback.

Practical difficulties exist in complying with the ordinance. If the windows were eliminated, the building could be built up to the property line. However, eliminating the windows would diminish the livability of any dwelling units proposed on this side of the building. While the height of the building is responsible, in part, for the degree of variance requested, the proposed height is not inappropriate given its location in an Activity Center and within a Transit Station Area. Requiring the building to comply with the setback requirements along this property line would also create practical difficulties in complying with established policies for very high density development in this location. Furthermore, this is the most appropriate location on the site for the transformer because of the limited visibility of this corner of the site. 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.

The request to allow a reduced setback along the west property line for residential windows and a transformer is reasonable. The applicant is proposing to locate the first floor of the building directly on the west property line. The upper floors will be recessed ten feet to allow for windows. The transformer pad will be setback four feet from the west property line. Granting this setback variance would be in keeping with the spirit and intent of the ordinance and 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. The urban design policies of the comprehensive plan also address this issue in calling for building placement to allow light and air into the site and surrounding properties. The building is designed in a manner that would allow for adequate access to light and air for the subject site and the adjacent property and would provide an adequate separation of uses. The portions of the building that would contain windows would be recessed ten feet from the property line. The first floor will directly abut the adjacent structure to the west.

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.

The surrounding area contains a mix of commercial and residential uses. Several other buildings in the immediate area are built from lot line to lot line with no setbacks, including the building immediately west of the subject site. The parcel directly west of the site contains a two-story building that is located directly up to the shared property line. As such, the proposed setback would not alter the character of the locality or be injurious to the use and enjoyment of adjacent properties. The proposed setback would not be detrimental to the health, safety or welfare of the general public or those utilizing nearby properties provided it complies with all building code and fire separation requirements. Glazing up to 45 percent is allowed at a setback between 10 feet and 15 feet and the proposed design is consistent with that requirement.

VARIANCE: (to the Pedestrian Oriented Overlay District standards to increase the width of the curb cut from 20 feet to 24 feet.)

Findings as Required by the Minneapolis Zoning Code for the Variance:

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 Pedestrian Oriented Overlay district (PO) limits the maximum width of driveways to 20 feet of street frontage. The curb cut into the site from Walnut Street will be 24 feet in width and a variance has been requested. This curb cut will handle traffic into and out of the underground parking area. CPED- Planning Division staff does not believe that there are practical difficulties in complying with the maximum curb cut width requirement or that there are unique circumstances related to the curb cut. Furthermore, increasing the width of the curb cut to 24 feet is a circumstance that is being created by the applicant. As stated above, staff is recommending that the loading area between the building and the driveway be removed and that the applicant instead pursue an on-street loading zone. With the removal of the loading space the driveway will primarily be used by passenger vehicles. A curb cut with a maximum width of 20 feet should be adequate to accommodate the use.

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 PO Pedestrian Oriented Overlay District is established to preserve and encourage the pedestrian character of commercial areas and to promote street life and activity by regulating building orientation and design and accessory parking facilities, and by prohibiting certain high impact and automobile-oriented uses. The comprehensive plan includes policies that support a walkable city with pedestrian character. The site currently has two curb cuts, one which serves the automobile convenience facility and one shared curb cut that serves the duplex at 308 Walnut Street and the church property to the south. The total width of all curb cuts associated with the site along Walnut Street is 39 feet. The applicant is proposing to eliminate the northernmost curb cut and separate the southernmost curb cut into one driveway serving the church property and one driveway serving the subject site. The total width of all proposed curb cuts is 38 feet. The proposed curb cut would result in a negligible improvement in the pedestrian character of the area. Allowing a 24-foot wide driveway for the use would not be in keeping with the spirit and intent of the ordinance. Reducing the curb cut to 20 feet in width would improve the walkability of the area and enhance the pedestrian experience. Reducing the curb cut by four feet would also provide more space for an on-street loading zone.

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.

The proposal may be injurious to the use and enjoyment of other property in the vicinity and be detrimental to the health, safety or welfare of those utilizing nearby properties. The increased width of the curb cut is not conducive to a pedestrian-friendly design and may detract from the pedestrian character of the area. Requiring a curb cut no greater than 20 feet along Walnut Street is not expected to negatively impact turning movements or traffic patterns.

VARIANCE: (to the Pedestrian Oriented Overlay District standards to increase the maximum front yard setback from eight feet to 14.5 feet for the residential entry.)

Findings as Required by the Minneapolis Zoning Code for the Variance:

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 Pedestrian Oriented Overlay district (PO) has a maximum setback requirement of eight feet for front yards and corner side yards, except where a greater yard is required. Along the north property line the applicant is proposing a maximum front yard setback of 14.5 feet for the residential entry. The rest of the building wall will be setback eight feet from the property line.

Practical difficulties exist in complying with this requirement due to the fact that the Central Corridor LRT line will be located directly in front of the property in this location. Furthermore, this section of Washington Avenue SE is expected to carry a significant amount of pedestrian traffic and therefore a wider sidewalk is appropriate. The additional setback for the residential entry is provided in order to allow a separation between the commercial and residential entries and to provide a more secure and private entryway and distinguish between public and private spaces. These circumstances are unique to the parcel 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.

The PO Pedestrian Oriented Overlay District is established to preserve and encourage the pedestrian character of commercial areas and to promote street life and activity by regulating building orientation and design and accessory parking facilities, and by prohibiting certain high impact and automobile-oriented uses. The standard pertaining to the placement of buildings is intended to reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation. In general, policies of the comprehensive plan also support the intent of this ordinance. The entire building wall, with the exception of the residential entrance, will comply with the eight foot maximum setback in keeping with the spirit and intent of the ordinance. The entries for the commercial uses will also maintain a maximum setback of eight feet to reinforce the street wall and facilitate pedestrian access and circulation. An increased setback for the residential entry is reasonable.

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.

The proposed setback for the residential entry will not alter the essential character of the locality or be injurious to the use and enjoyment of other property in the vicinity, nor should the proposed variance will be detrimental to the public health, safety of welfare. The majority of the building wall will maintain a maximum setback of eight feet to reinforce the street wall.

<u>VARIANCE:</u> (to reduce the required number of off-street parking spaces from 48 to 46)

Findings as Required by the Minneapolis Zoning Code for the Variance:

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 vehicle parking requirement for the residential component is .5 spaces per bedroom but not less than one space per dwelling unit and there is no commercial parking requirement. In this case, there are 98 dwelling units and 157 bedrooms so the requirement is one space per dwelling unit. The site qualifies for a ten percent reduction in parking due to its inclusion in the Transit Station Area Pedestrian Oriented Overlay district. The reduced parking requirement for the use is 88 stalls. The applicant is providing 49 parking stalls and has requested a variance accordingly. Four additional tandem stalls will be located within the underground parking area but do not count towards the minimum requirement.

Practical difficulties exist in complying with the minimum parking requirement in this location. The statement submitted by the applicant cites that the water table is high in this location which presents difficulties in providing a second level of underground parking. Furthermore, there are unique circumstances associated with the site that make it impractical to comply with the minimum parking requirement due to its close proximity to transit. The site is located within a Transit Station Area as it is less than one half mile from transit stations associated with the Central Corridor LRT line. The closest station will be located two blocks west of the site at Washington Avenue and Union Street. A second transit station, the Stadium Village LRT station, will be located approximately four blocks east of the site at University Avenue and Huron Boulevard. These circumstances are unique to the parcel 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.

The requested parking variance from 88 spaces to 49 spaces is reasonable due to the proximity to transit and alternative modes of transportation available in the immediate area. The applicant has provided an analysis based on leased parking for other projects in the area and maintains that the amount of parking provided will be adequate to serve the use. Furthermore, the Planning Division believes that the granting of the variance will be in keeping with the spirit and intent of the ordinance. The site is located near the University of Minnesota Campus and is within the boundaries of an Activity Center and a Transit Station Area. *The Minneapolis Plan for Sustainable Growth* states that development in Transit Station Areas is designed with the pedestrian, bicyclist, and/or transit user in mind and development in these areas serves individuals who are more likely to use transit. The site also contains the Pedestrian Oriented Overlay District which is established to preserve and encourage the pedestrian character of commercial areas and to promote street life and

activity. As evaluated below, the parking reduction is not expected to contribute to traffic congestion in the area.

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.

The reduction in parking will not alter the essential character of the locality or be injurious to the use and enjoyment of other property in the vicinity. A Travel Demand Management Plan (TDMP) was completed for the project and found that no significant traffic-related impacts are anticipated with redevelopment of the site. As such, the proposed variance will not be detrimental to the public health, safety of welfare and will not result in significant congestion in the adjacent streets. Because of the proximity to transit, the adequate supply of bicycle parking and the close proximity to the core of the University of Minnesota and public parking facilities, the Planning Division believes that the granting of the variance would have little impact on congestion of area streets.

In addition to the Central Corridor LRT line there are five bus lines that serve the immediate area. For short-term parking, there are two University of Minnesota public parking ramps located within two blocks of the site. The Oak Street Ramp is located at the corner of Oak Street and Delaware Street, to the southeast and the Washington Avenue Ramp is located north of Washington Avenue and west of Harvard Street. A total of 3,480 parking spaces are available between the two ramps. For additional short-term parking, a study of the immediate area found that meter parking is available in sufficient quantity to supply the proposed retail spaces. Residents will also have the option of utilizing car sharing services in the area. The nearest shared cars (two vehicles) are located less than three blocks away from the site, just west of the intersection of Oak Street and Essex Street.

SITE PLAN REVIEW

Required Findings for Site Plan Review

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

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

Section A: Conformance with Chapter 530 of Zoning Code
BUILDING PLACEMENT AND 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 and windows:**
- **Residential uses:**
    - **Principal entrances shall be clearly defined and emphasized through the use of architectural features such as porches and roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Twenty (20) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:**
        - **a. Windows shall be vertical in proportion.**
        - **b. Windows shall be distributed in a more or less even manner.**
    - **Nonresidential uses:**
      Principal entrances shall be clearly defined and emphasized through the use of architectural features such as roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Thirty (30) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:
        - **a. Windows shall be vertical in proportion.**
        - **b. Windows shall be distributed in a more or less even manner.**
        - **c. The bottom of any window used to satisfy the ground floor window requirement may not be more than four (4) feet above the adjacent grade.**
        - **d. First floor or ground floor windows shall have clear or lightly tinted glass with a visible light transmittance ratio of 0.6 or higher.**
        - **e. First floor or ground floor windows shall allow views into and out of the building at eye level. Shelving, mechanical equipment or other similar fixtures shall not block views into and out of the building in the area between four (4) and seven (7) feet above the adjacent grade. However, window area in excess of the minimum required area shall not be required to allow views into and out of the building.**

f. Industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, may provide less than thirty (30) percent windows on the walls that face an on-site parking lot, provided the parking lot is not located between the building and a public street, public sidewalk or public pathway.

Minimum window area shall be measured as indicated in section 531.20 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. At least thirty (30) percent of the first floor building wall that faces a public street, public sidewalk or public pathway shall be occupied by active uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.**

The building will be located directly up to the property line along Walnut Street and the majority of the building will be located within eight feet of the property line adjacent to Washington Avenue SE. Only the residential entry has a greater setback and a variance has been requested due to the Pedestrian Oriented Overlay district. A covered arcade will extend out to the property line over the commercial uses on the north side of the building. The placement of the building and the building design will promote natural surveillance and visibility of the surrounding area. The primary entrances to the commercial spaces will open onto the aforementioned arcade, which functions as an extension of the public sidewalk. Each commercial entrance will be emphasized with significant glass coverage and signage. The main residential entrance will be recessed six feet and emphasized in a similar manner. A secondary pedestrian entrance is located on the east side of the building that will provide access to the easternmost commercial space and the residential stair. A service entry is located on the south side of the building.

All of the parking proposed for the use would be located underground. The site plan shows a loading space on the south side of the building, but staff is recommending removal of said space as evaluated below.

The building has been designed to include recesses and projections in a manner that divides it into smaller identifiable sections. Along Washington Avenue SE, the building contains a larger interior courtyard on the second through sixth floors to break the building into two sections, each approximately 62 feet in length. Said courtyard will not be accessible. Along the south elevation the center of the building will step back 31 feet to allow for residential windows and separate this building wall into two sections.

The south elevation contains two sections of blank wall that exceed 25 feet in length. There is a 30-foot section of blank wall on the west end of the south elevation and a second 30-foot section of blank wall on the east end of the south elevation. Alternative compliance is required for this design and staff does not recommend granting alternative compliance to allow the blank walls. As a condition of approval, the applicant shall be required to provide a

material change, recess, projection or other architectural element to break up the length of this wall and provide visual interest.

Plain face concrete block is only proposed on the first floor of the west elevation, which directly abuts the adjacent structure and will not be visible.

The primary exterior materials would be durable and include brick veneer, fiber cement panel (Nichiha), standard fiber cement panels of various colors, metal shingles and glass. The material on the street-facing elevations of the sixth floor has been changed from fiber cement panel to a bronze metal shingle. This change is depicted in a supplemental rendering. On the south-facing elevation, the exterior material on the upper floors on the east side of the building is brick veneer and on the upper floors of the west side it is fiber cement panel. As a condition of approval, staff recommends that both the east and west ends of the south elevation contain brick panel so that all sides of the building will be compatible with each other and similar in appearance. Please note, exterior material changes at a later date would require review by the Planning Commission and an amendment to the site plan review.

The window requirement for the first floor of the building is 40 percent due to the presence of the Pedestrian Oriented Overlay district. This requirement applies to the Walnut Street elevation and the Washington Avenue SE elevation as they are the only two sides of the building that face a public street. The elevations show glass for 66 percent of the first floor on the Washington Avenue SE elevation and 50.6 percent of the Walnut Street elevation, in compliance with the minimum requirement. Additional glass is provided at a height above ten feet. The window requirement for the upper floors that face a public street, public sidewalk, public pathway, or on-site parking lot is 10 percent. Again, this applies to the Washington Avenue SE and Walnut Street elevations only. On the north elevation, facing Washington Avenue SE, each of the upper floors contains a minimum of 33 percent glazing. The east elevation, facing Walnut Street contains glazing for 39.7 percent of the upper floors. The proposed windows are more or less evenly distributed and vertical in proportion. As a condition of approval, no shelving, signage, merchandise, newspaper racks or other similar fixtures shall be allowed in front of the required ground level transparent windows to ensure that views in and out of the building are preserved.

The first floor of the building contains active functions for more than 70 percent of each street-facing elevation.

The proposed roofline is flat, consistent with other buildings in the area.

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.**

The building entrances will more or less open directly onto the public sidewalk adjacent to Washington Avenue. The commercial entrances open into an arcade that flows into the public sidewalk. The residential entrance will open onto the sidewalk. The entrance on the east side of the building will also open directly onto the public sidewalk.

No transit shelters are proposed or adjacent to the site.

Vehicles will access the parking garage from Walnut Street. A driveway with a length of approximately 36 feet is provided between the overhead door and Walnut Street to allow vehicles to queue and safely enter and exit the garage without creating conflicts with pedestrian traffic. A 12' x 25' loading zone is shown between the driveway and the south building wall. CPED Planning staff has concerns about the location of this loading space, as it is in the required front yard. Staff has additional concerns about maneuverability for this space. It is likely that delivery vehicles would need to maneuver in the public street in order to access this space. Public Works reviewed this issue as part of the Preliminary Development Review process and has recommended that the applicant obtain permission for an on-street loading zone instead of the proposed loading location. As a condition of approval, this loading zone shall be removed from the site plan and this space shall be at least partially converted to landscaping.

All building entrances are connected to the public sidewalk directly or with walkways to clearly direct pedestrian movements.

All of the parking proposed for the site would be located underground. With the removal of the loading space, vehicle circulation will primarily occur within the parking garage. No landscaping is proposed as part of the project as the building occupies nearly 100 percent of the site. Staff recommends that the loading zone be at least partially converted to landscaped area to limit the amount of impervious surface.

LANDSCAPING AND SCREENING:

- **The composition and location of landscaped areas shall complement the scale of the development and its surroundings.**
    - **Not less than twenty (20) percent of the site not occupied by buildings, including all required landscaped yards, shall be landscaped as specified in section 530.160 (a).**
- **Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.**

- **Except as otherwise provided, required screening shall be at least ninety-five (95) percent opaque throughout the year. Screening shall be satisfied by one or a combination of the following:**
    - **A decorative fence.**
    - **A masonry wall.**
    - **A hedge.**
- **Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.170 (b), including providing landscape yards along a public street, public sidewalk or public pathway and abutting or across an alley from a residence or office residence district, or any permitted or conditional residential use.**
- **The corners of parking lots where rows of parking spaces leave areas unavailable for parking or vehicular circulation shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks or bicycle parking.**
- **In parking lots of ten (10) spaces or more, no parking space shall be located more than fifty (50) feet from the center of an on-site deciduous tree. Tree islands located within the interior of a parking lot shall have a minimum width of seven (7) feet in any direction.**
- **All other areas not governed by sections 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.**
- **Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.210.**
- **The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.80, as provided in section 530.220.**

The zoning code requires that at least 20 percent of the site not occupied by buildings be landscaped. The lot area of the site is approximately 21,864 square feet. The building footprint is 21,445 square feet. The net lot area is 419 square feet, of which at least 20 percent (83.8 square feet) must be landscaped. 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 1 and 1 respectively.

The applicant is not proposing any landscaping on the site. As stated above, staff is recommending that the loading space on the south side of the building be removed. This space is 300 square feet in area. In lieu of granting alternative compliance for the landscaped area requirement, staff is recommending that at least 84 square feet of this loading space be converted to landscaping. No trees or shrubs are proposesd on site. However, nine new canopy trees, 30 shrubs and 171 perennials are proposed within the right-of-way. The landscaping within the right-of-way is an appropriate alternative for the on-site tree and shrub planting requirement.

All parking will be provided underground and no additional landscaping standards apply.

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.**

Continuous concrete curbing would be provided for the parking garage access. On-site retention of stormwater is not practical due to the size of the site. Provisions for stormwater were reviewed by Public Works as part of the PDR process and that report is attached for review.

The building should not impede any views of important elements of the city.

There are no residential properties immediately adjacent to the site that would be impacted by shadowing. A large open space is located northeast of the site. Based on the shadow study provided, the proposed building on the subject site will have some minimal shadowing impacts on this open space, primarily in the winter months

Wind currents should not be a major concern.

The development would include crime prevention through environmental design. The applicant has provided a significant amount of window coverage facing Washington Avenue SE and Walnut Street to provide opporunities for tenants and patrons to observe adjacent spaces. Walkways are provided to guide pedestrian movement in and around the site and a covered arcade will help to further distinguish between public and private spaces.

The applicant obtained a Historic Review Letter from CPED- Planning Division which determined that the existing structures are not historic and may be demolished.

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

ZONING CODE - The proposed 98-unit mixed use building is a permitted use in the C3A District. The applicant is proposing commercial spaces on the ground floor which will likely be retail or restaurant tenants, both of which are permitted in the district.

Off-Street Parking and Loading:
Minimum automobile parking requirement: The minimum vehicle parking requirement for the residential component is .5 spaces per bedroom but not less than one space per dwelling unit and there is no commercial parking requirement. In this case, there are 98 dwelling units and 157 bedrooms so the requirement is one space per dwelling unit. The site qualifies for a ten percent reduction in parking due to its inclusion in the Transit Station Area Pedestrian Oriented Overlay district. The reduced parking requirement for the use is 88 stalls. The applicant is providing 49 parking stalls and has requested a variance accordingly. Staff is recommending approval of said variance as evaluated above.

Maximum automobile parking requirement: There is no maximum parking requirement for dwellings except for parking that is not enclosed. All parking proposed for the project will be enclosed.

Bicycle parking requirement: The minimum bicycle parking requirement for a multiple-family dwelling is equal to one space per two dwelling units. However, that number is increased to one space per bedroom in the University Area Overlay District. Not less than 90 percent of the required bicycle parking must meet the standards for long term parking. The proposed building would have 157 bedrooms and 160 bicycle or scooter parking stalls are provided within the parking garage. The bicycle parking requirement for the commercial spaces will partially depend on how the spaces are leased, but will likely be three spaces for each use. The requirement for retail uses is three spaces or one space for each 5,000 square feet of gross floor area. While three bicycle parking spaces have been provided within the underground parking garage for the retail uses, this would not satisfy the minimum requirement if the commercial space were to be leased by more than one tenant. Further, a minimum of 50 percent of the commercial bike parking must be short-term. The bike parking in the underground parking structure would not be in a convenient and visible location that is no more than 50 feet from the principal entries. Staff is recommending that a minimum of nine short-term bike parking spaces be provided on-site or within the right-of-way adjacent to the site. Bike racks in the right-of-way shall require an encroachment permit from Public Works.

Loading: The use is not subject to a minimum loading requirement. A loading space is shown between the driveway and the south building wall. Staff is recommending that this loading space be removed and that the applicant work with Public Works on obtaining an on-street loading space along Walnut Street.

Dumpster screening: Section 535.80. Refuse storage containers shall be enclosed on all four (4) sides by screening compatible with the principal structure not less than two (2) feet higher than the refuse container or shall be otherwise effectively screened from the street, adjacent residential uses located in a residence or office residence district and adjacent permitted or conditional residential uses. A trash room is included within the proposed structure.

Signs: Wall signage equivalent to 1.5 square feet of signage for each one foot of primary building wall is allowed on the north and east elevations because no freestanding signs are proposed. On the north elevation, up to 248 square feet of wall signage is allowed and on the east elevation, up to X square feet of wall signage is allowed. The maximum area of a single wall sign is 180 square feet and the maximum area of a projecting sign is 48 square feet. Projecting signs may not extend more than 4 feet from the building. There is no limit on the number of signs and no height limit.

A building identification sign is proposed on the north elevation of the building. Said sign is a 40 square foot projecting sign with a maximum height of 60 feet. The sign projects X feet from the building. This sign is within the parameters allowed. A second building identification sign is shown above the residential entry. This sign is 30 square feet in area. General signage has been shown for the commercial tenants. A 35 square foot wall sign is shown above each tenant space and a 60 square foot wall sign is shown in the center of the building. The total amount of signage proposed on this elevation is 245 square feet. No signage is proposed on the east elevation at this time. Separate permits are required from the Zoning Office for any signage on site.

Lighting: A photometric plan was not submitted as part of the application. All lighting will need to be downcast and shielded to avoid undue glare. All lighting shall comply with Chapter 535 of the zoning code and Planning Staff shall review the details of the fixtures in the final review prior to permit issuance.

Maximum Floor Area: The maximum floor area ratio for properties in the C3A district is 2.7. The site qualifies for one 30 percent bonus by enclosing all of the vehicle parking and a second 30 percent bonus for providing commercial uses for more than 50 percent of the ground floor. The bonuses increase the maximum floor area ratio to 4.32. The applicant is proposing a 102,538 square foot building on a 21,864 square foot lot for a floor area ratio of 4.7. The applicant has requested a variance accordingly and the findings for said variance have been evaluated above.

Minimum Lot Area: Multiple-family developments in the C3A District require 400 square feet per dwelling unit. The site qualifies for a 30 percent density bonus by enclosing all of the vehicle parking and a second 30 percent bonus for providing commercial uses for more than 50 percent of the ground floor. These density bonuses reduce the minimum lot area requirement to 254 square feet per dwelling unit. The applicant is proposing 98 units on a 21,864 square foot lot, resulting in a minimum lot area of 222 square feet per dwelling unit. The applicant has requested a variance accordingly and the findings for said variance have been evaluated above.

Dwelling Units per Acre: The 98 dwelling units proposed result in a density of 196 dwelling units per acre. This is considered very high density per *The Minneapolis Plan for Sustainable Growth*. The site is within the boundaries of an Activity Center, near a growth center and in a Transit Station Area. Very high density is appropriate for the subject site based on the adopted policies for these land use features.

Height: Maximum building height for principal structures located in the C3A District is 4 stories or 56 feet, whichever is less. The applicant is proposing a building that is 6 stories, 73'4" in height and a conditional use permit has been applied for accordingly. The conditional use permit application for the proposed increase in height has been evaluated above.

Yard Requirements: The applicant has requested variances to the required yards and staff is recommending approval, as evaluated above.

Building coverage: Not applicable for this development.

Impervious surface area: Not applicable for this development.

MINNEAPOLIS PLAN

The Minneapolis Plan for Sustainable Growth identifies this site as Mixed Use on the future land use map. The site is within the boundaries of an Activity Center and near a Growth Center. The site is also within one-half mile of a transit station. In addition to the Principles and Polices identified above, the following Comprehensive Plan policies apply to this proposal:

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

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.

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

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

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.

Urban Design 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.

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.

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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.

A new mixed use building with 98 dwelling units is consistent with the above policies of the Comprehensive Plan. The density proposed is appropriate for this site.

SMALL AREA PLANS

There are no adopted small area plans for the subject site. A small area plan for Stadium Village is currently underway but has not been adopted.

ALTERNATIVE COMPLIANCE

The Planning Commission 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:

Alternative compliance is requested to allow the residential entry to be setback further than eight feet from the front lot line along Washington Avenue. Staff is recommending that alternative compliance be granted, and is recommending approval of a variance to the PO standards for this condition as well. The proposed location of the entry will allow for adequate separation from the commercial tenants and help to distinguish between public and private spaces.

Alternative compliance is requested to allow blank walls in excess of 25 feet on the east and west ends of the south elevation. Staff does not recommend granting alternative compliance for this requirement. As a condition of approval, the applicant shall be required to provide a material change, recess, projection or other architectural element to break up the length of this wall and provide visual interest.

The applicant is also requesting alternative compliance for the landscaping requirements. The minimum landscaped area requirement is 84 square feet. The applicant is not proposing any landscaping on the site. As stated above, staff is recommending that the loading space on the south side of the building be removed. This space is 300 square feet in area. In lieu of granting alternative compliance for the landscaped area requirement, staff is recommending that at least 84 square feet of this loading space be converted to landscaping. No trees or shrubs are proposesd on site. However, nine new canopy trees, 30 shrubs and 171 perennials are proposed within the right-of-way. The landscaping within the right-of-way is an appropriate alternative for the on-site tree and shrub planting requirement.

RECOMMENDATIONS:

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the rezoning from C1, Neighborhood Commercial district to C3A, Community Activity Center district:

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 application for rezoning from C1, Neighborhood Commercial district to C3A, Community Activity Center district for the properties located at 616-630 Washington Avenue SE and 208 Walnut Street.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the conditional use permit to allow an increase in height from 4 stories, 56 feet to 6 stories, 73'4":

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** 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 Avenue SE and 208 Walnut Street, 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.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance to reduce the minimum lot area per dwelling unit from 254 square feet to 222 square feet:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** 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 Avenue SE and 208 Walnut Street.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance to increase the maximum floor area ratio from 4.32 to 4.7:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** 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 Avenue SE and 208 Walnut Street.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance to reduce the required east front yard setback from 15 feet to 0 feet:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** 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 Avenue SE and 208 Walnut Street.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance to reduce the south side yard setback from 15 feet to 0 feet:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** 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 Avenue SE and 208 Walnut Street, 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.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance to reduce the west side yard setback from 15 feet to 0 feet:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** 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 Avenue SE and 208 Walnut Street, 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.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance to the Pedestrian Oriented Overlay District standards to increase the width of the curb cut from 20 feet to 24 feet:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **deny** 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 Avenue SE and 208 Walnut Street.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance to the Pedestrian Oriented Overlay District standards to increase the front yard setback for the residential entry from eight feet to 14.5 feet:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** 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 Avenue SE and 208 Walnut Street.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance to reduce the minimum parking requirement from 88 spaces to 49 spaces:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** 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 Avenue SE and 208 Walnut Street.

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

The Department of Community Planning and Economic Development– Planning Division recommends that the City Planning Commission **approve** the site plan review application for a mixed-use development with 98 residential dwelling units on the properties 616-630 Washington Avenue SE and 208 Walnut Street, 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. A minimum of 84 square feet of landscaping shall be provided on site in the location of the loading space, 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.

Attachments:

1. Statement of findings and project description
2. PDR Report
3. Correspondence
4. Letter from PPERRIA dated May 21, 2012
5. Zoning map
6. Rezoning matrix
7. Draft Travel Demand Management Plan (TDMP)
8. Site plan, floor plans and elevations
9. Revised rendering showing metal shingle on 6th floor and removal of "lantern" element
10. Shadow and context studies.
11. Photos