

APPLICATION WORKSHEET

Appellant	Name	SALLY Z. WITTHAM
	Mailing Address Including City, State and Zip Code	1011 24th ST. WEST MPLS, MN
	Phone Number	612-377-1747 or 763-458-2078
	Fax	763-544-2704
	Email	switham@classicprovisions.com

NOTICE OF APPEAL

Choose one:

\_\_\_\_\_ I, \_\_\_\_\_ (print name) do hereby file an exception to the Decision of the Zoning Administrator as provided for in Chapter 525.170;

\_\_\_\_\_ I, \_\_\_\_\_ (print name) do hereby file an exception to the Decision of the Board of Adjustment as provided for in Chapter 525.180;

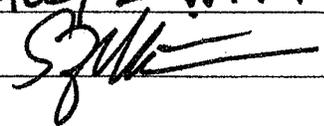
X I, SALLY Z. WITTHAM (print name) do hereby file an exception to the Decision of the City Planning Commission as provided for in Chapter 525.180;

Project Name	2316-2320 Colfax Ave S.
Project Address	2316-2320 Colfax Ave S.
BZZ Number	BZZ-6674

Further, I do hereby request that I be given an opportunity to express my case before the Board of Adjustment or the proper committee of the City Council.

The action being appealed and the reasons for appealing the decision are attached and made a part of this notice of appeal.

Appellant's Name: SALLY Z. WITTHAM

Appellant's Signature: 

Date: 8/30/2014

**APPLICATION WORKSHEET**

<b>Appellant</b>	Name	Peter Kim
	Mailing Address Including City, State and Zip Code	2204 Colfax Ave. S Minneapolis, MN 55405
	Phone Number	612-508-5050
	Fax	
	Email	subtkim@gmail.com

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I, \_\_\_\_\_ (print name) do hereby file an exception to the Decision of the Board of Adjustment as provided for in Chapter 525.180;

I, Peter Kim (print name) do hereby file an exception to the Decision of the City Planning Commission as provided for in Chapter 525.180;

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Appellant's Name: Peter S. Kim  
 Appellant's Signature: Subtkim

Date: 9-2-2014

APPLICATION WORKSHEET

<b>Appellant</b>	Name	Walter Danforth Fleak
	Mailing Address Including City, State and Zip Code	2217 Colfax Ave S #2 Minneapolis, MN 55405
	Phone Number	612-910-7421
	Fax	—
	Email	eyozhi@gmail.com

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Project Name	2316-2320 Colfax Ave S.
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Appellant's Name: Walter Danforth Fleak

Appellant's Signature:  Date: 9/2/14

APPLICATION WORKSHEET

<b>Appellant</b>	Name	William Wells
	Mailing Address Including City, State and Zip Code	2838 Fremont Av. South Mpls, MN 55408
	Phone Number	612-669-2052
	Fax	
	Email	wells and company@yahoo.com

NOTICE OF APPEAL

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\_\_\_\_\_ I, \_\_\_\_\_ (print name) do hereby file an exception to the Decision of the Board of Adjustment as provided for in Chapter 525.180;

I, William Wells (print name) do hereby file an exception to the Decision of the City Planning Commission as provided for in Chapter 525.180;

Project Name	2316-2320 Colfax Ave S.
Project Address	2316-2320 Colfax Ave S.
BZZ Number	BZZ-6674

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The action being appealed and the reasons for appealing the decision are attached and made a part of this notice of appeal.

Appellant's Name: William Wells

Appellant's Signature: 

Date: 8/31/2014

## Statement of Reason for Appeal

September 2, 2014

Sally Witham, Peter Kim, Dan Fleak, William Wells and additional concerned neighbors, do hereby **appeal** all final actions taken by the Minneapolis Planning Commission on August 25, 2014 approving **the variances** for the proposed 42-Unit apartment building proposed at 2316-2320 Colfax Ave South in Minneapolis. CPED Development # BZZ-6674

The appeal is based on the following facts:

- The variances will have a negative impact on neighborhood livability.
- The variances are based on economic gain.
- The variances do not produce a higher quality building in keeping with the historic character of the neighborhood, the variances are not for the public good, and do not address any unique hardship specific to this property.

The planning commission erred in its approval of the site plan and proposed variances:

- A. **Variance:** to reduce the minimum front yard requirement adjacent to Colfax Ave from approximately 19 feet to 15 feet to allow the building and open porches located at 2316-2320 Colfax Ave S in the R6/Multiple Family District.
- B. **Variance:** to reduce the minimum rear yard requirement adjacent to the west property line from 5 feet to 0 feet to allow a pergola over the parking area for the property located at 2316-2320 Colfax Ave S.
- C. **Variance:** to reduce the minimum parking requirement from 38 to 27 spaces for the property located at 2316-2320 Colfax Ave S.
- D. **Variance:** to reduce the minimum two-way drive aisle width from 22 feet to 20.3 feet for the property located at 2316-2320 Colfax Ave S.
- E. **Variance:** to allow a transformer within the corner side yard for the property located at 2316-2320 Colfax Ave S.
- F. **Site Plan Review:** Application by Collage Architects, on behalf of The Lander Group, for a site plan review for the property located at 2316-2320 Colfax Ave S.

By approving the variances, the planning commission's decision will be injurious to the use and enjoyment of adjacent properties, and overall neighborhood livability.

**The Developer requests a variance to reduce required parking from 38 spaces to 27 spaces. The zoning code requires 1 parking space per unit.** The project does not meet Title 20 Chapter 541 Article III of the Minneapolis Zoning Code. Therefore the applicant is short by 11 parking spaces. The parking variance will push all guest parking and at least 11 resident parking spaces onto the public street. This will have a significant negative impact the core of the neighborhood. The Developer should meet the zoning code and provide one-space-per-unit. The project does NOT qualify for a transit incentive bonus because it is located within the core of the neighborhood and does not meet transit incentive per 541.200. During the public hearing, on August 25<sup>th</sup> 2014, the developer justified the reduction of parking as a means to create "affordable housing." This project is NOT affordable housing and DOES NOT MEET THE DEFINITION OF AFFORDABLE HOUSING. It is market rate housing, developed by a for-profit developer. The developer should meet the zoning code.

**The Developer request a variance to allow a transformer within the side yard of the property located at 2316-2320 Colfax Ave S.** This is not a side yard. This is a front yard facing 24<sup>th</sup> Street with residential properties directly across the street. Locating a large, noisy, transformer in front yard is a safety issue for the driveway, very unsightly, and sets a very bad precedent for the City to allow a transform in a residential front yard - facing a public street. This is a self-imposed hardship that will negatively impact the neighborhood and create a safety and livability issues.

**ADDITIONAL NEGATIVE IMPACT ON THE NEIGHBORHOOD:**

- There is no Lighting plan provided. This project requests significant setback variances moving the building closer to the lot lines. The lighting could have a negative impact on surrounding residential properties; the applicant should be required to submit a full lighting plan before approval.
- The applicant proposes four exterior materials on the West Elevation; these materials do not blend in well with the neighboring properties to the north and the west, which have one main exterior material on all four elevations. In addition, the applicant's proposal to have cement board lap siding on the north and west elevation is not compatible with the project's primary elevation. The applicant should add more brick to the façade and make the building look more historic to fit the character of the neighborhood.
- The exterior materials on the rear façade are not similar or compatible with the front of the building or historic character of the neighborhood.
- The Applicant proposes a landscape yard of 2'-0" wide, along the West property line. This does not provide a proper buffer between a commercial driveway and adjacent residential property. Reducing the driveway width and landscaping creates a major snow storage issue. The Applicant should provide a 5'-0" buffer.
- The applicant proposes a 4' tree island in the surface parking lot, this is not enough space for the tree system to grow. The City standard is 7'-0" foot wide tree island for surface parking lots. The purpose of the requirement is to reduce the urban heat island effect and properly deal with storm water management. No storm water calculations were done for this project. The PDR report notes flooding has been an issue in this neighborhood. The developer should reduce surface parking and provide a rain garden.
- The dwelling units are the ground floor are too narrow at approximately 12'-0 wide. This creates serious livability issues and leads to a transient neighborhood.
- The entries to the ground floor units do not meet State of Minnesota - ADA accessibility requirements for TYPE B Dwelling Units, as currently proposed.
- The ground floor should have amenities: a lobby with on-site management, possibly a fitness area, or a party room with connection to a garden, and larger livable units.
- The project proposes to demolish a historic structure.

**Conclusion:** The project has many design issues, and request variances that have a negative impact on the neighborhood. The project does not fit in with the historic character of the neighborhood. The variances requested are self-imposed variances based on economic consideration alone. These variances should be denied.

Additional concerns and further evidence may be brought forward during the public hearing.