



CPED STAFF REPORT
Prepared for the City Planning Commission

CPC Agenda Item #6
April 27, 2015
BZZ-7077

LAND USE APPLICATION SUMMARY

Property Location: 721-729 8th Street Southeast
Project Name: Apartment Building
Prepared By: [Aaron Hanauer](#), Senior City Planner, (612) 673-2494
Applicant: Dinkytown Rentals, LLC
Project Contact: William Wells, Wells & Company Architects
Request: To allow for the construction of a four-story, 33-unit apartment building.
Required Applications:

Conditional Use Permit	To allow for a residential use in the IL/Industrial Living Overlay District.
Variance	To increase the percentage of allowable compact off-street parking spaces from 25 percent to 55 percent.
Site Plan Review	To allow for the construction of a four-story, 33-unit apartment building.

SITE DATA

Existing Zoning	II/Industrial District IL/Industrial Living Overlay District UA/University Area Overlay District
Lot Area	16,905 square feet / 0.39 acres
Ward(s)	3
Neighborhood(s)	Marcy Holmes
Designated Future Land Use	Urban Neighborhood
Land Use Features	None
Small Area Plan(s)	Marcy-Holmes Neighborhood Master Plan (2014)

Date Application Deemed Complete	March 26, 2015	Date Extension Letter Sent	N/A
End of 60-Day Decision Period	May 25, 2015	End of 120-Day Decision Period	N/A

BACKGROUND

SITE DESCRIPTION AND PRESENT USE.

The project site is a midblock site without alley access. It is slightly irregularly shaped as the lot width tapers from 146 feet along 8th Street Southeast to 136 feet at the rear of the site and the side property lines are at an angle. Most of the project site sits at least five feet higher than the street. There is currently one curb cut on the project site which is a shared driveway for 729 8th Street Southeast and the neighboring apartment building at 801 8th Street Southeast. The property site has an eight-foot wide boulevard between the property line and the public sidewalk along 8th Street Southeast, which is a wider boulevard than a typical lot. The only building on the project site is a two-story, single-family dwelling that was determined not be a historic resource.

SURROUNDING PROPERTIES AND NEIGHBORHOOD.

The project site is located in the Marcy-Holmes Neighborhood. Generally, there are residential uses (apartments and single/two family homes) along 8th Street Southeast; the adjacent properties to the north along 9th Street Southeast are primarily industrial uses. The 50-unit Mill Trace Condos at 619 8th Street Southeast was built in approximately 2006 (BZZ-1828).

The future land use of the subject properties and most of the properties along 8th Street Southeast is Urban Neighborhood. The primary land use in the urban neighborhood is residential. The future land use of the properties along 9th Street Southeast is industrial.

The subject properties and most of the properties bounded by 6th Avenue Southeast to the west, 9th Avenue Southeast to the east, 8th Street Southeast to the south and 9th Street Southeast to the north are zoned I1/Light Industrial and are within the I1/Industrial Living Overlay District. Properties on the south side of 8th Street Southeast are R5/Multiple Family District. The project site and surrounding area is within the UA/University Area Overlay District.

Eight Street Southeast is a major collector road that moves traffic from residential streets to arterial roads. In 2012, 8th Street Southeast had an annual average daily traffic (AADT) count of approximately 8,200 vehicles (Source: Mn/DOT Traffic Data). This street is also a transit route for the #2 and #4 bus routes.

PROJECT DESCRIPTION.

The proposal is to construct a new four-story, multiple-family dwelling with 33 units and 40 bedrooms. The applicant states that the goal of the project is to design an affordable, bike-friendly housing project and encourage a variety of transportation types. The unit mix would be (7) two-bedrooms, (15) one-bedrooms, and 11 studios. The proposed exterior building materials would be limestone masonry veneer, brick, Hardiboard stucco panels, and metal lap siding. The existing two-story building would be demolished as part of the new development.

Off-street parking would consist of 20-surface parking spaces for vehicles, a semi-covered parking area for mopeds/bikes, and a bike storage and repair room within the building. The off-street parking would be accessed from a new shared driveway with the property to the east, 801 8th Street Southeast.

RELATED APPROVALS.

Planning Case #	Application	Description	Action
P-537	Rezoning	Request to rezone property at 633, 705-727 8 th Street SE from R5 to M1-2 to allow expansion of an existing manufacturing and office facility	Approved, December 17, 1981

In 1999, the property was rezoned to II/Light Industrial as part of a citywide rezoning and updating of the Minneapolis zoning code.

PUBLIC COMMENTS. CPED received three letters prior to the report publication. A letter of support with conditions from the Marcy Holmes Neighborhood, a letter of support from a neighboring property owner, and a letter from the property owner at 801 8th Street Southeast stating that he is working the applicant in creating the shared driveway and updating the easement agreement. Any additional correspondence received after the publication of the staff report and prior to the public meeting will be forwarded on to the Planning Commission for consideration.

ANALYSIS

CONDITIONAL USE PERMIT

The Department of Community Planning and Economic Development has analyzed the application to allow a residential use in the IL/Industrial Living Overlay District based on the following findings:

1. *The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.*

The project will not be detrimental to or endanger the public health, safety, comfort or general welfare of the surrounding area. Both block faces of 8th Street Southeast from 6th Avenue Southeast to 9th Avenue Southeast are lined with residential structures. The adjacent properties along 9th Street Southeast are also zoned II/Light Industrial, which will limit the possibility of a heavy industrial use being located next door to the proposed residential use.

2. *The conditional use will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.*

The project will not be injurious to the use and enjoyment of other property in the vicinity nor will it impede the normal and orderly development and improvement of surrounding property for uses permitted in the district. The applicant is proposing a residential use, which is a conditional use within the IL/Industrial Living Overlay District. Adjacent uses along 8th Street Southeast and to the south include a mixture of single and multiple-family dwellings. The applicant has made efforts to mitigate negative impacts by meeting the minimum off-street parking, setback, and bulk standards of the Minneapolis zoning code.

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

The project requires preliminary development review (PDR) approval, which will ensure that adequate utilities, access roads and drainage are provided.

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

Adequate measure has been taken to minimize traffic congestion in the public streets. The project is meeting their off-street vehicle parking requirement and exceeding their bicycle parking requirements.

5. *The conditional use is consistent with the applicable policies of the comprehensive plan.*

The proposed development would be consistent with the following general land use policies of *The Minneapolis Plan for Sustainable Growth*:

Land Use Policy 1.2: Ensure appropriate transitions between uses with different size, scale, and intensity.

1.2.1 Promote quality design in new development, as well as building orientation, scale, massing, buffering, and setbacks that are appropriate with the context of the surrounding area.

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.

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.

Environmental Policy 6.8: Encourage a healthy thriving urban tree canopy and other desirable forms of vegetation.

6.8.2 Achieve, at a minimum, no net loss of the urban tree canopy by maintaining and preserving existing trees and planting new trees on public and private property.

The Marcy-Holmes Neighborhood Master Plan (2014) provides additional guidance for the project site. There are five character areas within the master plan. The project site is within the West Side Character Area and borders the 9th Street Industrial Character Area. The project is in conformance with The Marcy-Holmes Neighborhood Master Plan as it will increase density in a sensitive manner by locating a four-story multifamily building next to other multifamily buildings without tearing down or comprising historic resources.

6. *The conditional use shall, 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, the variance and the site plan review, this development will be in conformance with the applicable regulations of the zoning code.

VARIANCE

The Department of Community Planning and Economic Development has analyzed the application for a variance to increase percentage of compact parking spaces from 25 percent to 55 percent, based on the following [findings](#):

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 off-street parking requirement for the proposed 33-unit multi-family dwelling with 40 bedrooms is 20 spaces. At least 75 percent of the required parking spaces are required to comply with the minimum dimensions for standard spaces. For 90 degree parking spaces, as shown on the site plan, a standard space is 18 feet deep by eight feet six inches wide. Compact spaces are 15 feet deep by eight feet wide. The development is required to have 20 parking spaces, so at least 15 spaces are required to be standard spaces and five spaces would be allowed to be compact spaces. A total of 20 parking spaces, including one accessible space and 11 compact stalls are proposed. Because the proposed number of compact spaces exceeds the maximum number allowed to count toward meeting the minimum parking requirement, the applicant is requesting a variance.

Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The size of the site, unique shape of the lot, and absence of an alley limits where parking can be provided. By increasing the number of compact stalls, the development will provide additional green space/outdoor space on the property for residents.

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

The purpose of parking regulations is to provide for the parking needs of uses and structures and to enhance the compatibility between parking areas and their surroundings. With compact vehicles on the rise, opportunities exist to not only reduce required stall sizes, but to also allow for more compact parking spaces. Supporting the use of small vehicles and subsequently allowing more compact stalls is one of the ways to reduce the amount of impervious surfaces associated with the project and increase green space. The proposed amount of parking and compact stalls should be sufficient and encourages the use of alternative modes of transportation; this is in keeping with the spirit and intent of the ordinance and the comprehensive plan. Per 541.330, the compact parking spaces shall be labeled as such.

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.*

Granting of 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 nor will it be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties. If

granted, all maneuvering of vehicles will take place on the project site. The project will include a standard two-way drive aisle width of 22 feet, which will reduce the amount of maneuvering needed to get into a parking spot.

SITE PLAN REVIEW

The Department of Community Planning and Economic Development has analyzed the application based on the required [findings](#) and [applicable standards](#) in the site plan review chapter:

I. Conformance to all applicable standards of Chapter 530, Site Plan Review.

Building Placement and Design – Requires alternative compliance

- The placement of the building will reinforce the street wall along the north side of 8th Street Southeast; the buildings to the east and west of the project of the site are multi-family buildings placed near the front yard property line. The building placement will also maximize natural surveillance and visibility with glazing that exceeds the zoning code requirement. Furthermore, the proposed building will facilitate pedestrian access and circulation with walkways serving the front and rear entrances.
- The first floor of the building would be located four feet from the front lot line.
- The area between the building and the front lot line would include plantings and a covered front porch.
- The building is oriented with the principal entrance facing the public street, 8th Street Southeast.
- The on-site accessory parking would be located at the rear of the site.
- The building walls provide 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.
- The building includes architectural elements to divide the building into smaller identifiable sections. The building is 116 linear feet. The center 60 feet of the building projects approximately two feet from the main plane.
- No portion of the building has a blank uninterrupted wall that is 25 feet in length.
- The applicant is proposing limestone, brick, stucco panels, and seamless metal lap siding. Per the Minneapolis Guide to Exterior Building Walls and Materials, seamless metal lap siding is not considered a durable material. Alternative compliance is required. The Guide to Exterior Building Walls and Materials also outlines the percentage allowance of a building material on an elevation. The applicant's proposal for the limestone brick, and stucco panel is in compliance with the allowed percentages. (See Table 1). However, a maximum of three materials are allowed per elevation and the exterior appearance of the rear and side walls shall be similar and compatible with the front of the building. The applicant's proposing of four materials on the east and west sides of the building are not in compliance with the Guide to Exterior Building Walls and Materials. In addition, the appearance of the east, west, and north elevations is not similar in appearance of the front elevation. Alternative compliance is required.
- Plain face concrete block is not a proposed exterior material.
- The principal entrance is clearly defined and emphasized through the use of a porch that expresses the importance of the entrance. In addition to the main entrance facing 8th Street Southeast, the building has another access/exit point on the rear elevation. The project meets its fenestration requirement on the elevations that face a public street and on-site parking lot (see Table 2). The windows are vertical in proportion and are distributed in an even manner.
- None of the first floor along the public street is designed with inactive functions. The proposed building does have a bike storage facility at the front of the building; however, there is a bike

repair area in front of the bike storage area that provides an active use along 8th Street Southeast.

- The form and pitch of roof lines shall be similar to surrounding buildings. The proposed building has a hipped roof with dormers. The neighboring multiple-family dwellings and the industrial buildings have flat roofs. Alternative compliance is required.
- There is no proposed parking garage.

Table 1. Percentage of Exterior Materials per Elevation (excludes windows)

Material	Allowed max %	South (8 th)	North	East	West
Face brick	100%	20%	-	13%	13%
Limestone	100%	22%	1%	9%	9%
Fiber cement stucco panel less than 5/8 thick	30%	30%	29%	30%	30%
Metal lap siding	0%	-	50%	24%	24%

Table 2. Percentage of Windows Required for Elevations Facing a Public Street, Sidewalk, Pathway, or On-Site Parking

	Code Requirement		Proposed	
8 th Street SE				
1 st floor	20% minimum	186 sq. ft.	24%	219 sq. ft.
Upper floors	10% minimum	116 sq. ft.	24%	279 sq. ft.
Rear Elevation				
1 st Floor	20% minimum	186 sq. ft.	22%	203 sq. ft.
Upper floors	10% minimum	116 sq. ft.	22%	260 sq. ft.

Access and Circulation – Meets requirements

- The front entrance is connected to the 8th Street Southeast sidewalk by a walkway and stairs that are six feet in width; the building’s rear entrance is connected to the parking facility at the back of the site by a six-foot wide walkway.
- There will not be a transit shelter on the project site.
- Vehicular access and circulation is designed to minimize conflicts with pedestrian traffic and surrounding residential uses. The project site will maintain having only one curb cut and all maneuvering will take place onsite.
- The project site does not have alley access.
- The site plan minimizes the use of impervious surfaces and exceeds the 20 percent landscape requirement.

Landscaping and Screening – Requires alternative compliance

- **will it be grass or mulch?**
- The composition and location of landscaped areas complement scale of development and surroundings. The applicant is proposing to have landscaping along the front and sides of the building and at the rear of the site. To the west of the surface parking lot is a contiguous green space that could be an amenity to the residents.
- The project site meets the landscape percentage, tree, and shrub minimums (see Table 3). However, CPED encourages the applicant to plant more canopy trees and shrubs.

- The project will meet the required screening requirement with a six-foot high cedar wood fence that screens the surface parking area from the residential property to the east. The wood fence also extends along the northern and western edge of the property line. There will be no parking and loading facilities located along a public street, public sidewalk or public pathway.
- A seven-foot landscaped yard is required between the surface parking lot and the eastern property line since it abuts a conditional residential use. The applicant is proposing a five-foot landscaped yard for a portion of this area. Alternative compliance is required.
- The corner of the parking lot where there is no parking or vehicular circulation will be landscaped with turf grass, shrubs, and trees.
- The 20-space surface parking lot is designed to not have a parking space more than 50 feet from the center of an on-site deciduous tree. To meet this requirement there is a tree placed within a pervious paver area that separates the driveway from the off-street parking spaces. Alternative compliance is required to allow the tree at this location without a seven-foot wide tree island.
- As conditioned, all other areas not governed by Section 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways shall be covered with turf grass, plants, mulch, shrubs or trees. In addition, the installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.210.

Table 3. Landscaping and Screening Requirements

	Code Requirement	Proposed
Lot Area	--	16,905 sq. ft.
Building footprint	--	5,942 sq. ft.
Remaining Lot Area	--	10,963 sq. ft.
Landscaping Required	2,193 sq. ft.	2,890 sq. ft.
Canopy Trees (1: 500 sq. ft.)	4 trees	5 trees
Shrubs (1: 100 sq. ft.)	22 shrubs	22 shrubs

Additional Standards – Meets requirements

- The perimeter of the parking lot and driveway is defined by a six inch by six inch continuous concrete curb. The project includes a pervious paver area in the surface parking lot area that will assist with stormwater retention and infiltration.
- The site plan minimizes the blocking of views of important elements of the city.
- The building is located and arranged to minimize shadowing on public spaces and adjacent properties.
- The building will not have a significant impact on wind currents at ground level.
- The site plan includes crime prevention design elements as specified in section 530.260. This includes natural surveillance and visibility with a greater amount of windows than required, territorial reinforcement with the landscaping between the building and property line as well as the fence along the parking/driveway and western property line, and natural access control with the front entrance leading directly to the 8th Street Southeast sidewalk.
- The project site does not contain a locally designated historic structure or structure determined to be eligible to be locally designated.

2. Conformance with all applicable regulations of the zoning ordinance.

The proposed use is *conditional* in the Industrial Living Overlay District.

Off-street Parking and Loading – Requires variance(s)

- The project complies with the minimum number of off-street parking spaces. Table 541-1 requires one off-street parking space per dwelling. However, since the project is within the UA/University Area Overlay District, the minimum off-street parking requirement is one-half parking space per bedroom (551.1320). Therefore, the 40-bedroom apartment building requires 20 off-street parking spaces, which is the amount proposed.
- The project does require a variance for the number of compact parking spaces that are proposed (see variance section above). Per 541.330, 75 percent of the required parking spaces shall comply with the minimum dimensions for standard spaces (8.5' by 18' when parked at a 90 degree angle). The applicant is proposing to have 45 percent of their required parking be standard spaces and 55 percent of the required parking spaces as compact spaces (8.5' by 15').
- Per Table 541-1, there is not a maximum parking allowance for a residential use. Per 541.450, the maximum number of unenclosed parking spaces is limited to two spaces per unit. The proposed project will not exceed this requirement as it will be providing 20 surface parking spaces for a 33-unit building.
- The off-street parking will comply with section 537.80 in that the detached accessory buildings for parking and open parking spaces are at least six feet from the habitable space of a dwelling.
- The driveway width measured at the property line is 20 feet, which is in compliance with the 12-foot minimum and 25-foot maximum width requirements outlined in section 541.240 (c). The two-way drive aisle for the off-street parking area is 22 feet, which meets the zoning code requirement (541.330).
- The project exceeds the University Area Overlay District minimum bicycle and motorized scooter parking requirement of at least one bicycle or motorized scooter parking space per bedroom (551.1330). The project includes parking for 42 bicycles (36 inside the building and 6 outside) and four motorized scooters. The project also meets the requirement that 90 percent of the bike parking spaces be in an enclosed area that is accessible for intended users as 36 of the 40 required bike parking spaces will be in a bike storage and repair room on the first floor.
- Per Table 541-9, there is not an off-street loading requirement for a 33-unit apartment building.

Table 4. Vehicle Parking Requirements Per Use (Chapter 541)

	Minimum Parking Requirement	Applicable Reductions	Total Minimum Requirement	Maximum Parking Allowed	Proposed
Residential dwellings	20	N/A	20	--	--
Total	--	--	20	N/A	20

Table 5. Bicycle Parking and Loading Requirements (Chapter 541)

	Minimum Bicycle Parking	Minimum Short-Term	Minimum Long-Term	Proposed	Loading Requirement	Proposed
Residential dwellings	40	--	Not less than 90%	36 long-term 6 short term	None	none

Building Bulk and Height – Meets requirements

- The building is in compliance with the building bulk and height requirements.
- The hipped roof building is a four-story building, which is allowed in the II zoning district.

- The hipped roof building is 49.35 feet tall as defined by the Minneapolis zoning code, which is below the 56-foot height requirement in the II zoning district. The natural grade 10 feet from the center of the building is 841 feet above sea level. The top of the first floor slab is 842.75 feet above sea level. The height of the building from the first floor slab to the midpoint between the eave edge and the roof ridge level is 47.5 feet (890.35 feet above sea level).

Table 6. Building Bulk and Height Requirements

g	Code Requirement	Proposed
Lot Area	--	16,905 sq. ft. / 0.39 acres
Gross Floor Area (GFA)	--	24,126 sq. ft.
Maximum Floor Area Ratio (GFA/Lot Area)	2.7	1.4
Maximum Building Height	4 stories or 56 feet, whichever is less	49.35 ft.

Residential Lot Requirements – Meets requirements

- The project site meets the IL Overlay District’s minimum lot area requirement of 5,000 square feet ([551.380](#)). There is no minimum lot width requirement in the IL Overlay District for residential uses.

Table 7. Residential Lot Summary

	Code Requirement	Proposed
Dwelling Units (DU)	--	33 DUs
Density (DU/acre)	--	85 DU/acre
Minimum Lot Area	5,000	16,905
Minimum Lot Width	N/A	146 ft.

Yard Requirements – Meets requirements

- The neighboring properties on the east and west are zoned industrial. The parcel to the east, 801 8th Street Southeast, has a multifamily residential structure. The parcel to the west, 715 8th Street Southeast is vacant. Per section [550.160](#), the project site has a front yard setback of 0.65 feet only for the first 25 linear feet that borders the residential parcel at 801 8th Street Southeast. The proposed building will be setback four feet from the front property line for the first 40 feet. An open front porch is proposed to extend two feet beyond the front property line. An encroachment permit will be required for this proposed feature.
- The parcel to the east, 801 8th Street Southeast, has a residential structure, therefore, a side yard of not less than five (5) plus two (2) feet for every story above the first shall be provided along such side lot line. Therefore, the four story building is subject to an 11-foot side yard requirement along the eastern property line. The project site does not have a required side yard setback along the western property line. The trash enclosure is five feet from the eastern property line, which complies with the yard requirements outlined in [550.160](#).
- The neighboring properties to the north are zoned industrial and are nonresidential uses. Therefore, per section [550.160](#), there is not a required rear yard setback.

Table 8. Minimum Yard Requirements

	Zoning District	Overriding Regulations	Total Requirement	Proposed
Front	0 ft.	0.65 ft.	0.65 ft. for the first 25 feet from 801 8 th Street SE	4 ft. for the first 40 feet from 801 8 th Street SE
Interior Side (East)	0 ft.	11 ft.	11 ft.	14.5 ft.
Interior Side (West)	0 ft.	N/A	0 ft.	11 ft.
Rear	0 ft.	N/A	0 ft.	65 ft.

Signs – Not applicable

- No signs are proposed as part of the apartment building project.

Refuse Screening – Meets requirements

- Per [535.80](#), refuse and recycling 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. The project includes an exterior refuse and recycling area in the northeastern portion of the lot. The proposed screening of the refuse and recycling area will be 6'-6" tall and be built of wood (Cedar).

Screening of Mechanical Equipment – Meets requirements

- The applicant is proposing that each of the units have heating and air conditioning units underneath the windows. The applicant is not showing any rooftop mechanical nor utility boxes/transformers on the site.

Lighting – Meets requirements with Conditions of Approval

- The project includes lights within the open front porch underneath the roof canopy and two pole lights within the surface parking area. The lighting plan appears to meet the requirements outlined in section 535.590 as the lights are not in excess of ½ footcandle measured at the closest property line of the residential property to the east, nor 5 footcandles measured at the street curb line. As a condition of approval, the lights poles shall not exceed 35 feet in height (per section 535.110) and the lights shall not create a sensation of brightness that is substantially greater than ambient lighting conditions as to cause annoyance, discomfort or decreased visual performance or visibility to a person of normal sensitivities when viewed from any permitted or conditional residential use.

Impervious Surface Area – Not applicable

- The industrial zoning districts do not have a maximum impervious surface calculation.

Accessory Uses– *Meets requirements*

- The project includes a partially covered parking structure for mopeds and bikes in the northwestern portion of the lot that will be 12 feet in height and 370 square feet in area. This structure is located more than six feet from the residential building, is not located within any required yard, and is in compliance with the maximum height and floor area requirements for accessory structures in the industrial zoning district.

Specific Development Standards – *Not applicable*

- The proposed multiple family dwelling is not subject to the multiple family dwelling specific development standards as it does not have units with three or more bedrooms and is not located within the R5 or R6/Multiple Family Districts and is within the UA/University Area Overlay District.

IL/Industrial Living and UA/University Area Overlay District Standards – *Meets requirements*

- Residential uses are a conditional use within the IL Overlay District. CPED is supportive of the conditional use permit application for this project as outlined above. The project is in compliance with the minimum lot area requirement of 5,000 square feet for a residential use in the IL Overlay District (551.380).
- The project is in compliance with the applicable UA/University Area Overlay District standards. The project will meet the minimum off-street vehicle parking required as outlined in 551.1320 and the minimum bicycle and motorized scooter parking as outlined in 551.1330.

3. Conformance with the applicable policies of The Minneapolis Plan for Sustainable Growth.

The Minneapolis Plan for Sustainable Growth identifies the site as an urban neighborhood area on the future land use map. The urban neighborhood designation has predominately residential area with a range of densities. The proposed development is consistent with the land use, housing and environmental principles and policies outlined in Finding 5 of the conditional use permit and the following urban design principles and policies:

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

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 10.6: 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.

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

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

Urban Design Policy 10.18: Reduce the visual impact of automobile parking facilities.

10.18.1 Require that parking lots meet or exceed the landscaping and screening requirements of the zoning code, especially along transit corridors, adjacent to residential areas, and areas of transition between land uses

10.18.3 Locate parking lots to the rear or interior of the site

10.18.4 Provide walkways within parking lots in order to guide pedestrians through the site.

Urban Design Policy 10.19: Landscaping is encouraged in order to complement the scale of the site and its surroundings, enhance the built environment, create and define public and private spaces, buffer and screen, incorporate crime prevention principles, and provide shade, aesthetic appeal, and environmental benefits.

10.19.1 In general, larger, well-placed, contiguous planting areas that create and define public and private spaces shall be preferred to smaller, disconnected areas.

Urban Design Policy 10.22: Use Crime Prevention Through Environmental Design (CPTED) principles when designing all projects that impact the public realm, including open spaces and parks, on publicly owned and private land.

10.22.1 Integrate “eyes on the street” into building design through the use of windows to foster safer and more successful commercial areas in the city.

10.22.2 Orient new housing to the street to foster safe neighborhoods.

10.22.3 Design the site, landscaping, and buildings to promote natural observation and maximize the opportunities for people to observe adjacent spaces and public sidewalks.

10.22.5 Locate landscaping, sidewalks, lighting, fencing and building features to clearly guide pedestrian movement on or through the site and to control and restrict people to appropriate locations.

10.22.7 Locate entrances, exits, signs, fencing, landscaping, and lighting to distinguish between public and private areas, control access, and to guide people coming to and going from the site.

4. Conformance with applicable development plans or objectives adopted by the City Council.

As stated in Finding 5 of the conditional use permit, the project is in compliance with the applicable policies and goals of the Marcy-Holmes Neighborhood Master Plan (2014).

5. Alternative compliance.

The Planning Commission or zoning administrator may approve alternatives to any site plan review requirement upon finding that the project meets one of three criteria required for [alternative compliance](#). Alternative compliance is requested for the following requirements:

- **Nondurable material:** The applicant is proposing seamless metal lap siding on the east, west, and north elevations. Per the [City of Minneapolis, Guide to Exterior Building Walls and Materials](#), metal panels are a durable material; however, seamless metal lap siding is not considered a durable material. CPED is recommending that the Planning Commission not provide alternative compliance in allowing metal lap siding on the proposed building.
- **More than three materials on an elevation (east and west) and the exterior materials on side and rear walls shall be compatible with the front elevation:** The applicant is proposing to have three exterior materials on the front elevation (8th Street Southeast): limestone, brick, and stucco panels. On the east and west elevations, the applicant is proposing to have four exterior materials: limestone, brick, metal siding, and stucco panels. On the north elevation, the applicant is proposing metal lap siding and stucco. Per the [City of](#)

[Minneapolis, Guide to Exterior Building Walls and Materials](#), buildings should not include more than three exterior materials on an elevation (excluding windows, doors and foundation materials). Having three or fewer durable exterior building materials for an elevation is a traditional building design practice for residential structures. The applicant's proposal with four exterior materials on the east and west elevations does not blend in well with the neighboring residential properties along 8th Street Southeast, which typically have one or two materials on all elevations nor with the industrial buildings along 9th Street Southeast, which typically have one building material. In addition, the applicant's proposal to have metal lap siding on the side and rear elevations is not compatible with project's primary elevation. CPED is recommending that the Planning Commission not provide alternative compliance for having four exterior materials on the east and west elevations. CPED is also recommending that the applicant replace the metal lap siding with limestone on the first floor and brick on floors two and three on the east, west and north elevations, like is proposed for the primary elevation. By making this modification, it will simplify the design by reducing the number of exterior materials from four to three on the east and west elevations. It will also ensure that the side and rear elevations are compatible with the front elevation and the new building blending in better with the existing residential fabric and keep with traditional building design practice for residential structures.

- **The form and pitch of roof lines shall be similar to surrounding buildings.** The proposed building has a hipped roof with dormers. The neighboring multiple-family dwellings and the industrial buildings from 6th Avenue Southeast to 9th Avenue Southeast have flat roofs. Alternative compliance is required. The intent of this site plan review standard for roof styles is to help new construction relate to its immediate surroundings. The applicant completed an analysis of buildings in the neighboring area and states that 85 percent of the buildings in the studied area have pitched roofs. In this analysis, the applicant included the low-density residential properties (i.e. non-apartment buildings) and excluded the flat-roof industrial buildings along 9th Street Southeast. CPED is recommending that the Planning Commission not provide alternative compliance to allow for the pitched roof and that the building shall have a flat roof. The flat roof will help the proposed building better relate to the other apartment buildings in the area, the immediate neighbors on the east and west of the projects site and industrial buildings in the immediate area. Furthermore, it will reduce the overall height of the building, which will help it better relate to the two and three story buildings in the area.
- **Seven foot landscape yard between the off-street parking area and the residential property to the east.** A seven-foot landscaped yard is required between the surface parking lot and the eastern property line since it abuts a conditional residential use. The applicant is proposing a five-foot landscaped yard for a portion of this area. Alternative compliance is required. The intent of the landscaped yard provision is to help reduce the negative visual impact of off-street parking next to neighboring residential uses. The applicant's proposal of a five-foot landscaped yard is next to a garage on the neighboring property to the east and more than 60 feet from the neighboring residential building. The location of the reduced landscaped yard will not have an impact on the neighboring residential building. Therefore, CPED is recommending that the Planning Commission grant alternative compliance.
- **Tree island width of seven feet.** The applicant is proposing a tree at the eastern side of the parking lot that will be surrounded by pervious pavers; there will be no landscaped tree island. The applicant is proposing a tree at this location to help comply with the requirement that all parking spaces be 50 feet or less from an on-site deciduous tree. This site plan requirement is in a place to provide sufficient room for the trees to gain water and have their root system grow and to break up the non-landscaped areas of a parking lot. CPED is recommending the Planning Commission not provide alternative compliance to allow for the tree placement without a seven-foot wide, landscaped tree island. There is sufficient room to provide a tree island. In addition, a landscaped tree island will help break up the non-landscaped area of the parking area.

RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt staff findings for the applications by Dinkytown Rentals, LLC, for the properties located at 721-729 8th Street Southeast:

A. Conditional Use Permit to allow for a residential use in the IL/Industrial Living Overlay District.

Recommended motion: **Approve** the conditional use permit 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 two years of approval.

B. Variance to increase the percentage of allowable compact off-street parking spaces from 25 percent to 55 percent.

Recommended motion: **Approve** the variance to increase the percentage of allowable compact off-street parking spaces from 25 percent to 55 percent, with the following condition:

1. Per 541.330, the compact parking spaces shall be labeled as such.

C. Site Plan Review to allow for the construction of a four-story, 33-unit apartment building.

Recommended motion: **Approve** the site plan review to allow for the construction of a four-story, 33-unit apartment building with the following conditions:

1. As conditioned, all other areas not governed by Section 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways shall be covered with turf grass, plants, mulch, shrubs or trees. In addition, the installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.210.
2. An encroachment permit will be required for the open front porch.
3. Per 535.110 and 535.590, the lights poles shall not exceed 35 feet in height and the lights shall not create a sensation of brightness that is substantially greater than ambient lighting conditions as to cause annoyance, discomfort or decreased visual performance or visibility to a person of normal sensitivities when viewed from any permitted or conditional residential use.
4. Per the [City of Minneapolis Guide to Exterior Building Walls and Materials](#), the proposed metal lap siding is not allowed and shall be replaced with limestone on the first floor and brick on floors two and three on the east, west and north elevations, like is done on the south elevation.
5. Per 530.120 (c), the pitched roof on the primary building shall be replaced with a flat roof.
6. Per 530.170 (e), a seven-foot wide landscaped tree island shall be installed within the parking area to accommodate the on-site deciduous tree.

ATTACHMENTS

1. PDR report
2. Written description and findings submitted by applicant
3. Correspondence
4. Zoning map
5. Plans – survey, site landscape, civil, elevations
6. Aerials, photos and comparison of flat/pitched roof