

Minneapolis Development Review
 250 South 4th Street
 Room 300
 Minneapolis, MN 55415

Preliminary Development Review Report

Development Coordinator Assigned: **DONALD ZART**
(612) 673-5645
don.zart@minneapolismn.gov

Status *
RESUBMISSION REQUIRED

Tracking Number:	PDR 1001364
Applicant:	CPM DEVELOPMENT 2919 KNOX AVE S, SUITE 200 MINNEAPOLIS, MN 55408
Site Address:	113 26TH ST E
Date Submitted:	09-SEP-2015
Date Reviewed:	17-SEP-2015

Purpose

The purpose of the Preliminary Development Review (PDR) is to provide Customers with comments about their proposed development. City personnel, who specialize in various disciplines, review site plans to identify issues and provide feedback to the Customers to assist them in developing their final site plans.

The City of Minneapolis encourages the use of green building techniques. For additional information please check out our green building web page at: http://www.ci.minneapolis.mn.us/mdr/GreenBuildingOptions_home.asp.

DISCLAIMER: *The information in this review is based solely on the preliminary site plan submitted. The comments contained in this report are preliminary ONLY and are subject to modification.*

Project Scope

5 story, 70 unit mixed use apartment and retail project

Review Findings (by Discipline)

Zoning - Planning

- Conditional use permit to increase the height of the building
- Variance to increase the FAR of the building
- Site plan review

Business Licensing

- Please contact Becky Anger, 612-673-2690, regarding a Health Dept plan review if there is a food related business in the space.

*Approved: You may continue to the next phase of developing your project.

*Resubmission Required: You cannot move forward or obtain permits until your plans have been resubmitted and approved.

□ Addressing

- The proposed address for the project will be as follows based on the doors shown in the first floor plan, from west to east:
- Leasable Space - 111 26th St E
- Leasable Space - 113 26th St E (same space as above but another door, doesn't need to be addressed but providing address in case the space is split up in the future)
- Common Space (apartment entrance) - 115 26TH St E
- Leasable Space - 119 26th St E
- When assigning suite sequences the following guidelines are as follows:
 - The first one to two digits of the suite sequence number will designate the floor number of the site.
 - The last two digits of the suite sequence number will designate the unique ID for the unit (condo, suite, unit, or apartment).
 - Suite sequence digit numbers will be assigned to dwelling, commercial and retail units, not common areas. For example, laundry rooms, saunas, workout rooms, etc., would not be assigned numbers.
 - Please provide each condo, suite, unit or apartment number.
- This building is also considered to have a parking ramp per MCO Chapter 108. As such, within 5 years of the date of the certificate of occupancy being issued, the parking ramp will be required to have annual inspections and apply for a Ramp Operating Certificate.

□ Parks - Forestry

- Contact Craig Pinkalla (cpinkalla@minneapolisparcs.org), Telephone (612)-499-9233 regarding removal or protection of trees during construction in the city right of way.
- Effective January 1, 2014, the City of Minneapolis and the Minneapolis Park and Recreation Board adopted an update to the existing Parkland Dedication Ordinance.
- The adopted City of Minneapolis Parkland Dedication ordinance is located in Section 598.340 of the City's Land Subdivision ordinance:
 - <http://library.municode.com/index.aspx?clientId=11490>.
- As adopted, the fee in lieu of dedication for new residential units is \$1,521 per unit (affordable units excluded per ordinance) and for commercial and industrial development it is \$202.80 per development employee (as defined in ordinance). Any dedication fee (if required) must be paid at the time of building permit issuance. There is also an administration fee that is 5% of the calculated park dedication fee.
- As proposed, for your project at 113 26th St E, the calculated dedication fee is as follows:
- Residential - 70 x \$1521 = \$106,470
- Commercial = \$811
- Subtotal = \$107,281
- Administrative Fee - 5% of \$107,281 (capped at \$1,000)= \$1,000
- Total \$108,281
- This is a preliminary calculation based on your current proposal; a final calculation will be made at the time of building permit submittal.
- For further information, please contact Don Zart at (612)673-2726

Additional notes from Craig Pinkalla. Also see attached for addition Forestry information.

- Recommend continuous open boulevards. 5.5' wide on Stevens Ave and 6.0' wide on 26th St
- If not continuous, openings must be min. 125 sq. ft./ tree.
- Add detail showing planting soil replacement in blvd. 4' long x 24" deep x width of blvd (5.5'-6.0') centered on each added tree.
- Gleditsia and Celtis selected for street trees.
- Prioritize retaining 2 Honey Locust on 26th St.
- If lighting is incorporated on Stevens, poles must be 12' from trees.
- south most tree on Stevens Ave to be located min. 10' from proposed driveway apron
- Genus Count (%)

□ Right of Way

- An encroachment permit shall be required for all streetscape elements in the Public right-of-way such as: plants & shrubs, planters, tree grates and other landscaping elements, sidewalk furniture (including bike racks and bollards), and sidewalk elements other than standard concrete walkways such as pavers, stairs, raised landings, retaining walls, access ramps, and railings (NOTE: railings may not extend into the sidewalk pedestrian area). Please contact Bob Boblett at (612) 673-2428 for further information.
- Note to the Applicant: Any elements of an earth retention system and related operations (such as construction crane boom swings) that fall within the Public right-of-way will require an encroachment permit application. If there are to be any earth retention systems which will extend outside the property line of the development then a plan must be submitted showing details of the system. All such elements shall be removed from the Public right-of-way following construction with the exception of tie-backs which may remain but must be uncoupled and de-tensioned. Please contact Bob Boblett at (612) 673-2428 for further information.
- In addition, any elements of an earth retention system and related excavations that fall within the Public right-of-way will require a "Right-of-Way Excavation Permit". This permit is typically issued to the General Contractor just prior to the start of construction. However, it is the Applicant's responsibility to insure that all required permits have been acquired by its consultants, contractors, sub-contractor's prior to the start of work.
- Contact Paul Cao at (612) 673-2943 for position and alignment of bike racks proposed in the Public right-of-way. If the racks are privately owned, they will require an encroachment permit.

□ Street Design

- Various notes for curb removal direct the Contractor to "match existing"; all curb & gutter in the Public right-of-way shall be designed and constructed to City standards, curb & gutter to be City standard B624 Curb and Gutter. Please refer to the following: http://www.minneapolismn.gov/publicworks/plates/public-works_road. Top of Curb profiles shall be provided for any section of curb replacement in excess of 50 feet.
- Add the appropriate details from the ROAD-1000 Series - Curbs and Gutters (ROAD-1006) to the plans.
- Note to the Applicant: Any currently defective sidewalks or other concrete infrastructure (such as curb) within the public right of way, or any concrete infrastructure damaged during construction, must be removed and replaced. Significant areas of curb and gutter within the project limits are in poor condition; the Applicant should consider replacement of curb and gutter in all areas where curb has deteriorated.

□ Sidewalk

- Note to the Applicant: Any currently defective sidewalks or other concrete infrastructure within the public right of way, or any concrete infrastructure damaged during construction, must be removed and replaced.
- The proposed sidewalk alignments within the Project limits are not acceptable. The Project streetscape shall be designed in accordance with the Access Minneapolis design guidelines; see <http://www.ci.minneapolis.mn.us/publicworks/transplan/index.htm> for further information. Specifically, the pedestrian zone is of concern, a minimum 6'-0" clear zone (un-obstructed) sidewalk shall be maintained for the length of any block in a straight line (the clear pedestrian zone cannot "jog" around planters and tree grates). Locations for site furniture, tree grates, planters and other proposed design elements that fall within the Public right-of-way shall be modified to provide for the required pedestrian clear zone space. For further clarification, site plans shall be fully dimensioned in relation to the property lines, Public right-of-way, sidewalks, street furniture, landscaping, utilities, and other obstructions.
- All tree removals and proposed trees in the Public right-of-way are subject to the review and approval of the Minneapolis Park Board. Please contact Craig Pinkalla at (612) 499-9233 to discuss tree species selection, planting method, spacing and locations. Tree planting details shall be included in the plans. For all trees proposed in "hardscape environments" within the Public right-of-way, the Applicant shall provide engineered/structured soil in the form of a tree trench or tree pit for all proposed street trees. Sidewalk layouts and landscaping in the Public right-of-way shall follow established design standards; refer to the following City of Minneapolis Urban Forest Policy:

- (http://www.minneapolismn.gov/www/groups/public/@cped/documents/webcontent/convert_282934.pdf.)
- Note to the Applicant: An existing Bus Stop is located on Stevens Ave. S. and is defined by the length of the existing roadway concrete bus pad; Landscaping within the designated Bus Stop location should be avoided.
- ADA compliant pedestrian ramps are required at each crosswalk at the intersection of E. 26th St. and Steven Ave. S. Construct two (2) ADA compliant pedestrian ramps at this location and reference the appropriate details on Sheet C5.3 of the plans. Include the appropriate details and standard plates in the site plan; refer Mn/DOT Standard Plan 5-297.250 Pedestrian Curb Ramp Details at: <http://standardplans.dot.state.mn.us/stdplan.aspx>.

□ Traffic and Parking

- The Applicant shall note the location of any existing Metro Transit "bus stops" on the site plan.
- Current ordinance states that all maneuvers associated with loading, parking or sanitation pick up for a private development shall occur on private property. Please provide a narrative explaining the trash removal operations and show turning maneuvers for all truck type vehicles that will be using the site and loading/parking entrance areas. A Solid Waste Collection Point (SWCP) shall be identified on the site plans; per City Ordinance (Section 2, Ch. 225, Article V - 225.750. Solid waste collection point (SWCP):
- Note to the Applicant: The construction of this development will likely require the use of Public right-of-way (roadway and sidewalks) for construction purposes. A request for an estimate of street use and obstruction permit fees can be made to the City's Traffic Department; please contact Scott Kramer at (612) 673-2383 for further information.
- Note to the Applicant: Please add the following notes to the site plan:
 - Street lighting installed as part of the Project shall be inspected by the City. Contractors shall arrange for inspections with the Traffic Department, please contact Dave Prehall at (612) 673-5759 for further information. Any lighting installations not meeting City specifications will be required to be reinstalled at Owner expense.
 - An obstruction permit is required anytime construction work is performed in the Public right-of-way. Please contact Scott Kramer at (612) 673-2383 regarding details of sidewalk and lane closures. Log on to <http://minneapolis.mn.roway.net/> for a permit.
 - Contact Allan Klugman at (612) 673-2743 prior to construction for the temporary removal/temporary relocation of any City of Minneapolis signal system that may be in the way of construction.
 - All costs for relocation and/or repair of City Traffic facilities shall be borne by the Contractor and/or Property Owner.
 - Contact Doug Maday at (612) 673-5755 prior to construction for the removal of any City of Minneapolis right of way signs that may be in the way of construction.

□ Water

- All existing and proposed underground Public Utilities (water, sanitary sewer, and storm drain) shall be shown on the site plan with corresponding pipe sizes and types. For Public watermain infrastructure records call (612) 673-2865. Any existing connections not in use shall be noted on the plans for removal, and shall be removed per the requirements of the Utility Connections Department, call (612) 673-2451 for more information.
- Domestic water and fire service connections should run in a line perpendicular from the watermain straight into the proposed building to the meter location. Please contact Rock Rogers at (612) 673-2286 to confirm domestic water and fire service layout, manhole construction, connections, and sizes.

□ Sewer Design

- The plan as submitted meets the requirements of the Public Works Surface Waters & Sewers Division.

❑ Fire Safety

- Provide required fire suppression system throughout building
- Fire department connection must be located on the address side of building and within 150 feet of a fire hydrant
- Provide required fire alarm system throughout building
- Provide and maintain fire apparatus access at all times

❑ Historical Preservation Committee

- The existing structure will need a wrecking permit for its removal, which included a historic preservation review.

❑ Construction Code Services

- 2nd exit require from rooftop deck regardless of occupant load
- Handicap parking access aisles are to be marked "no parking" per 502.4.4 ANSI A117.1 2009
- Maximum slope 1:48 for access aisle and parking space per 502.5
- Aisles to be 96" (8') width 502.4.2.
- Maximum slope of exterior accessible routes is 1:20
- Contact the Met Council for a SAC determination. See this link for more information.
http://www.ci.minneapolis.mn.us/www/groups/public/@regservices/documents/webcontent/convert_281675.pdf.

❑ Environmental Health

- The site is an active State of Minnesota Superfund Site identified as Whiteway Cleaners SR1293. The Minnesota Pollution Control Agency also identifies two active voluntary investigation and cleanup projects, VP 2054 and VP2053. Prior to any site activities that would disturb soil on site an approved remedial action plan (RAP) related to the project must be approved by the MPCA. See below for local permit requirements that are required by the City of Minneapolis for actions required by MPCA approved plans.
- If dewatering is required during site construction see below for city permit requirements. Subgrade structures should be designed to prevent infiltration of groundwater without the need for a permanent dewatering system being installed. If a continuously operating permanent dewatering system is needed it must be approved as part of the sanitary sewer and storm drain site plan approval prior to construction beginning.
- No construction, demolition or commercial power maintenance equipment shall be operated within the city between the hours of 6:00 p.m. and 7:00 a.m. on weekdays or during any hours on Saturdays, Sundays and state and federal holidays, except under permit. Contact Environmental Services at 612-673-3867 for permit information.
- Permits and approval are required from Environmental Services for the following activities: Temporary storage of impacted soils on site prior to disposal or reuse; Reuse of impacted soils on site; Dewatering and discharge of accumulated storm water or ground water, underground or aboveground tank installation or removal, well construction or sealing. Contact Tom Frame at 612-673-5807 for permit applications and approvals.
- A review of the project, permits issued and an inspection from Environmental Service for identification of equipment and site operations that require annual registration with the City of Minneapolis will occur for this project.

END OF REPORT

26th and Stevens Apartment
Statement of Proposed Use and Project Description
August 24, 2015

Project Description

The proposed project will redevelop a large, vacant site with a 5-story, mixed-use building with 70 apartments and approximately 4,055 SF of retail lease space. The purpose of this development is to add high-density, market-rate housing in an area that has not seen much new construction for many years. The site is close to many social, cultural, transit and recreational amenities, including the Minneapolis College of Art and Design, the Minneapolis Institute of Art, the American Swedish Institute, the Midtown Greenway bike trail, multiple bus routes (on Nicollet, Stevens, 26th), and the vibrant and diverse restaurants of the Eat Street Activity Center. It is also close to the medical employment center that includes Abbott Northwestern Hospital.

The 29,048 SF site is vacant and was previously occupied by a dry cleaning business that left highly contaminated soils, which have been undergoing a clean-up process for the past seven years. While the clean-up work has made redevelopment possible, the removal of any additional soil is cost prohibitive, so below grade parking is not a feasible option for the current proposed project.

The proposed project will have 26 enclosed parking spaces on the first floor along Stevens Avenue, with retail space and the apartment entry located on 26th Street East. An additional 21 parking spaces will be provided outside, between the building and the alley. Approximately 54% of the non-garage space will be retail to qualify for a density bonus. The active uses are located at the corners on 26th Street, which is the main pedestrian corridor (and also above the less contaminated section of the site). Floors 2-4 will have 18 units each. The 5th floor will have 16 units and will be stepped back 10' from the west facade of the lower floors to reduce the shading on the building across the alley to the west.

Conditional Use Permit For Increased Height
Required Findings

A conditional use permit is requested to increase the height for the project from the 4-story/56' limit of the C2 District to 5 stories, 61' to the top of the parapets at the building corners along Stevens Avenue. The parapet height for the majority of the building is 56'. Due to the step back of the 5th floor on the west side, the building height is only 44' there, similar to the 42-foot height of the 3-story building across the alley.

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.

Construction of a 61-foot tall building on the project site will not be detrimental to or endanger the public health, safety, comfort or general welfare, and granting the CUP will allow a development that will benefit the neighborhood and reinforce goals of the comprehensive plan. The project will redevelop a vacant, contaminated site with mixed-use, high density housing. The building and site design and the addition of commercial uses and residents will activate the pedestrian realm and enhance the Eat Street Activity Center. The new construction will comply with all building and site development codes.

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 of uses permitted in the district.

The proposed height will not be injurious to the use and enjoyment of other property or impede development and improvement of surrounding property. The majority of the building is 56' high, which is the height allowed in feet for development in the C2 District. The building is separated from surrounding development on three sides by public streets and an alley. On the south side, the building is setback 31.5' from the lot line. These open space buffers mitigate the impact of the building height on surrounding property.

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

Adequate utilities, access, drainage and other facilities will be provided. The development team will continue to work closely with Public Works, Plan Review and Planning staff to comply with City and other applicable requirements. Vehicular access will be from existing streets - Stevens Avenue and the alley.

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

All required parking will be provided on-site. Loading and trash pick-up will occur off-street from the parking lot.

5) *The conditional use is consistent with the applicable policies of the comprehensive plan.* Although zoned C2, the *Minneapolis Plan for Sustainable Growth* designates 26th Street east of 1st Avenue as an Urban Neighborhood. Urban Neighborhood areas are predominantly residential with a range of densities, with highest densities generally to be concentrated around identified nodes and corridors. The site is located 1½ blocks east of the Nicollet Avenue Commercial Corridor and ½ block from the East Street Activity Center. The project and proposed height are consistent with the following policies and implementation steps from the comprehensive plan.

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 1.5: Promote growth and encourage overall city vitality by directing new commercial and mixed use development to designated corridors and districts.

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 1.10: Support development along Commercial Corridors that enhances the street's character, fosters pedestrian movement, expands the range of goods and services available, and improves the ability to accommodate automobile traffic.

1.10.1 Support a mix of uses – such as retail sales, office, institutional, high-density residential and clean low impact light industrial – where compatible with the existing and desired character.

1.10.4 Encourage a height of at least two stories for new buildings along Commercial Corridors, in keeping with neighborhood character.

1.10.5 Encourage the development of high-density housing on Commercial Corridors.

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

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.

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

6) The conditional use shall in all other respects, conform to the applicable regulations of the district in which it is located.

Upon approval of the submitted applications, the project will conform to the applicable regulations of the C2 zoning district.

Additional factors to be considered when determining the maximum height per §548.110:

(1) Access to light and air of surrounding properties.

Public right-of-way separates the proposed development from surrounding properties on three sides and the building is 31.5' from the south lot line. Allowing the requested increase in height will not impede access to light and air for the surrounding properties.

(2) Shadowing of residential properties, significant public spaces, or existing solar energy systems.

The building will cast shadows that are essentially the same as those that would be cast by a 4-story/56' building that is allowed as of right in the C2 District. Shadow impacts will be mitigated because the site is surrounded on three sides by streets and alley. It will not shadow the closest residential property in the R2B District to the south and will only minimally shadow the R2B District to the southwest. The step back of the 5th floor from the west facade will mitigate shadowing on the 3-story mixed-use building across the alley. The building will not shadow significant public spaces. No existing solar energy systems are known to be shadowed by the project.

(3) The scale and character of surrounding uses.

The scale and character of the proposed building is compatible with surrounding development. The height is comparable to another redevelopment project in the area, a 4-story building located on the north side of 26th Street one block to the west. A 7-story building is located at 26th Street and 1st Avenue. The MCAD building to the northeast is 5 stories. The other buildings closest to the site are 2 and 3 stories. The 5th floor has been stepped back so that the height of the building at its west facade is essentially the same as the height of its closest neighboring building.

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

The project will not block views of landmark buildings, significant open spaces or water bodies.

Variance For Floor Area Ratio
Required Findings

The maximum FAR before density bonuses in the C1 District is 1.7. The project qualifies for one, 20% bonus, which allows an FAR of 2.04. A variance is requested to increase the FAR to 2.42.

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.

Practical difficulties exist for building within the FAR limits without a variance and complying with the City's land use policies that support higher-density redevelopment of the site. The site is located within a half block of an Activity Center, which is intended to support, and be supported by, high and very high-density housing. The site is located near the Nicollet Avenue Commercial Corridor and is in close proximity to bus routes, the Midtown Greenway, and a concentrated employment center. These land use features and transit amenities converge to support the higher residential density that can be achieved on this site with the requested FAR variance. Due to the contaminated soils on the site, it is not practical for the project to construct all required parking below grade, which would qualify for a second density bonus. These are unique circumstances, not created by the developer.

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 proposed FAR is reasonable and consistent with the City's land use guidance for high density development in this area. Variations in building materials, colors and roof height mitigate the perception of the mass of the building from the pedestrian realm, in keeping with the spirit of the ordinance. The proposed FAR is less than that allowed as of right on properties within a half block on either side of the site that are zoned OR3 (base FAR is 3.5) and C3A (base FAR is 2.7).

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 granting of the variance will not alter the essential character of the area or be injurious to the use or enjoyment of other properties. As noted above, the proposed FAR is less than that allowed on other, nearby properties that are zoned C3A and OR3. The building is separated from surrounding buildings by public right-of-way and generous setbacks. The project will be beneficial to the public health, safety and welfare and to neighboring properties by redeveloping a vacant, contaminated site and providing new, market-rate housing in the Whittier Neighborhood.



CPM – 26th & Stevens Land Use Application

Project Description & Site Background

The proposed project will redevelop a large, vacant site with a 5-story, mixed-use building with 70 apartments and approximately 4,055 SF of retail lease space. The purpose of this development is to add high-density, market-rate housing in an area that has not seen much new construction for many years. The site is close to many social, cultural, transit and recreational amenities, including the Minneapolis College of Art and Design, the Minneapolis Institute of Art, the American Swedish Institute, the Midtown Greenway bike trail, multiple bus routes (on Nicollet, Stevens, 26th), and the vibrant and diverse restaurants of the Eat Street Activity Center. It is also close to the medical employment center that includes Abbott Northwestern Hospital.

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Zoning / Variances

The present zoning is C2 and has a pedestrian overlay. In addition to the site plan review the proposed project will require a CUP for height (from 4 stories to 5 stories). Variances for FAR (70,108) proposed 59,258 allowed). The parking requirements are met by utilizing the new parking reduction for sites within the mass transit areas.

PROJECT DATA:

ADDRESS 113 26th STREET EAST
 SITE AREA 29,048 SF
 ZONING DISTRICT C2
 FAR ALLOWED 1.7 (WITH 20% FOR MIXED USE) = 59,258 SF
 FAR PROPOSED 2.4 = 70,108 SF

BUILDING SQUARE FOOTAGE:

1ST FLOOR / GARAGE / COMMON / RETAIL 15,617 SF (INCLUDES GARAGE 8,494 SF)
 2ND FLOOR 15,914 SF
 3RD FLOOR 15,914 SF
 4TH FLOOR 15,914 SF
 5TH FLOOR 15,243 SF
 TOTAL 78,602 SF

UNIT COUNT:

2ND FLOOR 18 APARTMENTS
 3RD FLOOR 18 APARTMENTS
 4TH FLOOR 18 APARTMENTS
 5TH FLOOR 16 APARTMENTS
 TOTAL 70 UNITS

UNIT MIX:

1 BEDROOM SUITE 30
 1 BEDROOM STANDARD 24
 2 BEDROOM 16
 TOTAL 70

TOTAL BEDROOMS

86

PARKING PROVIDED:

ENCLOSED 21
 SURFACE 25
 TOTAL 46

PARKING REQUIRED:

UNITS (1 PER UNIT) 70
 PARKING REDUCTION - 50% 35 REQUIRED

NO REQUIREMENT FOR RETAIL PARKING IN OVERLAY

BICYCLE PARKING:

RESIDENTIAL – INDOOR 67
 GUESTS – OUTDOOR 10
 TOTAL 77

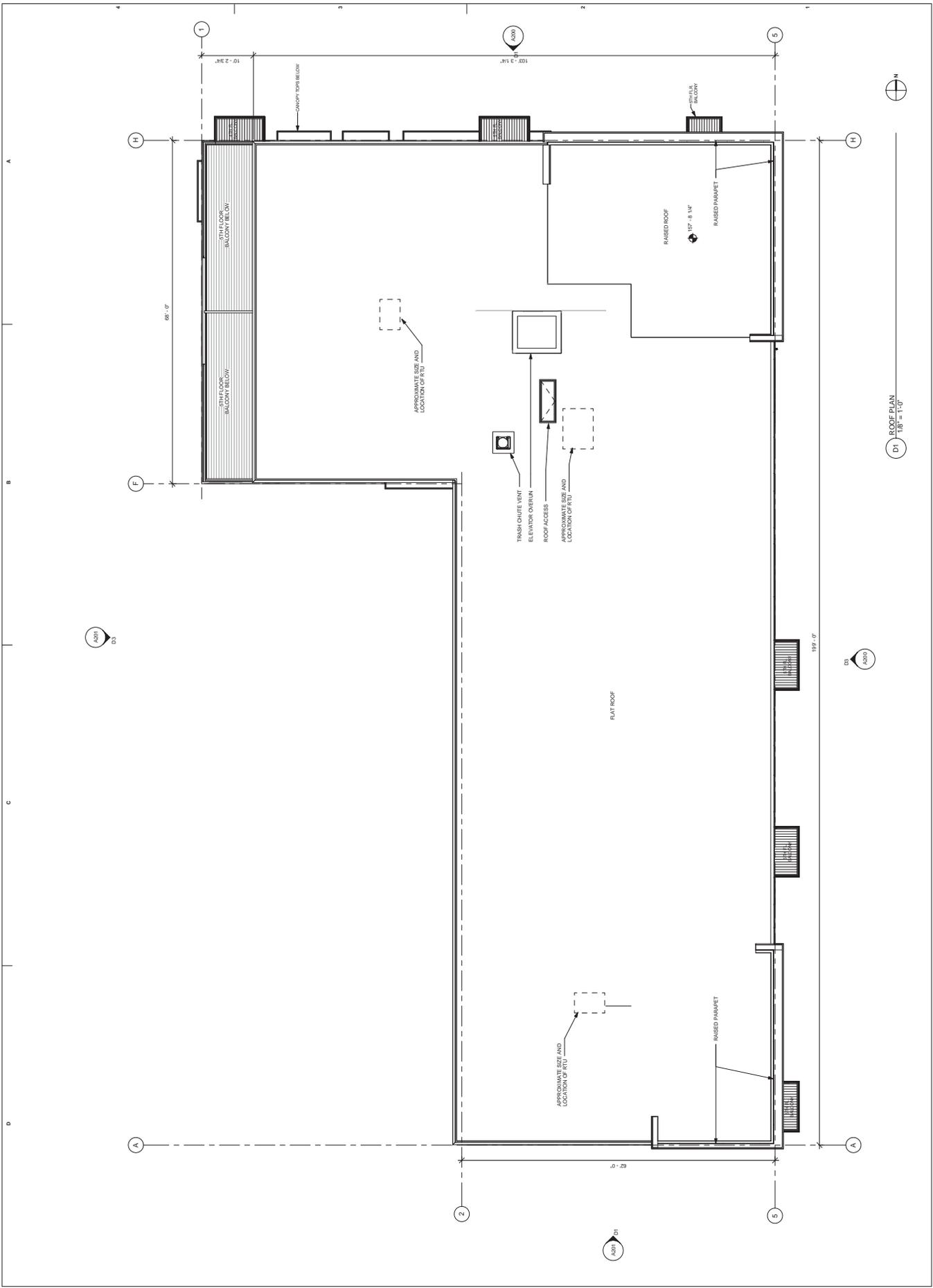
26TH & STEVENS APARTMENTS

Minneapolis, Minnesota

August 21, 2015

Cover Sheet

15-037-00



D1 - ROOF PLAN
1/8" = 1'-0"

3001

3002

1000

1 LAND USE APPLICATION
Date: 01/21/15
Project #: 15-037
Date: Issue Date
Checked By/ Checker: Amber
Drawn By: Amber

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CPM DEVELOPMENT
333 Westinghouse Ave N, Suite 210
Minneapolis, Minnesota 55412
612.876.2700 www.cpm-dev.com

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Minneapolis, Minnesota 55412
612.876.2700 www.cpm-dev.com

ARCHITECT	DJR ARCHITECTURE, INC.
DESIGNER	DJR ARCHITECTURE, INC.
DATE	15-07-2015
PROJECT #	15-07
DATE	9.20.15
DATE	3.08.15
DATE	2.08.15

Checked By: Checker
 Drawn By: Author
 Date: Issue Date
 Project #: 15-07

CLIENT
 CPM Development
 2100 West Avenue, S.E.
 Minneapolis, MN 55408
 612.842.8873

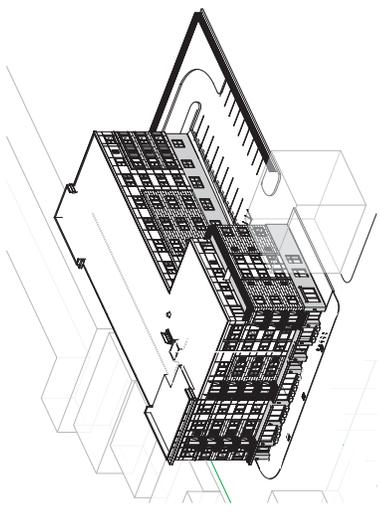
CONTRACTOR
 Robert Warren
 2000 Hennepin Avenue, S.E.
 Minneapolis, MN 55408
 612.823.2483

STRUCTURAL
 Edouard Bédard and Associates
 1020 Hennepin Avenue, S.E.
 Minneapolis, MN 55408
 612.338.4414

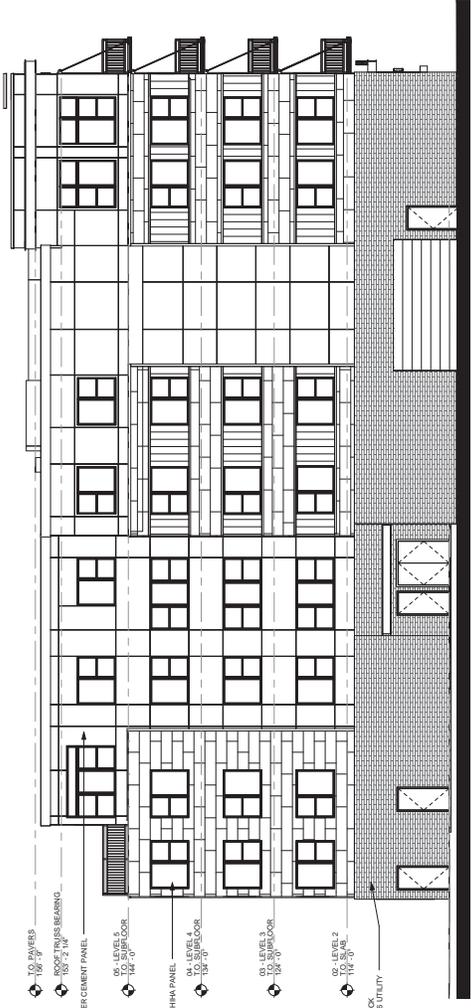
MECHANICAL
 Daniel Thomas Biale, P.E.
 2000 Hennepin Avenue, S.E.
 Minneapolis, MN 55408
 612.338.4414

ELECTRICAL
 Daniel Thomas Biale, P.E.
 2000 Hennepin Avenue, S.E.
 Minneapolis, MN 55408
 612.338.4414

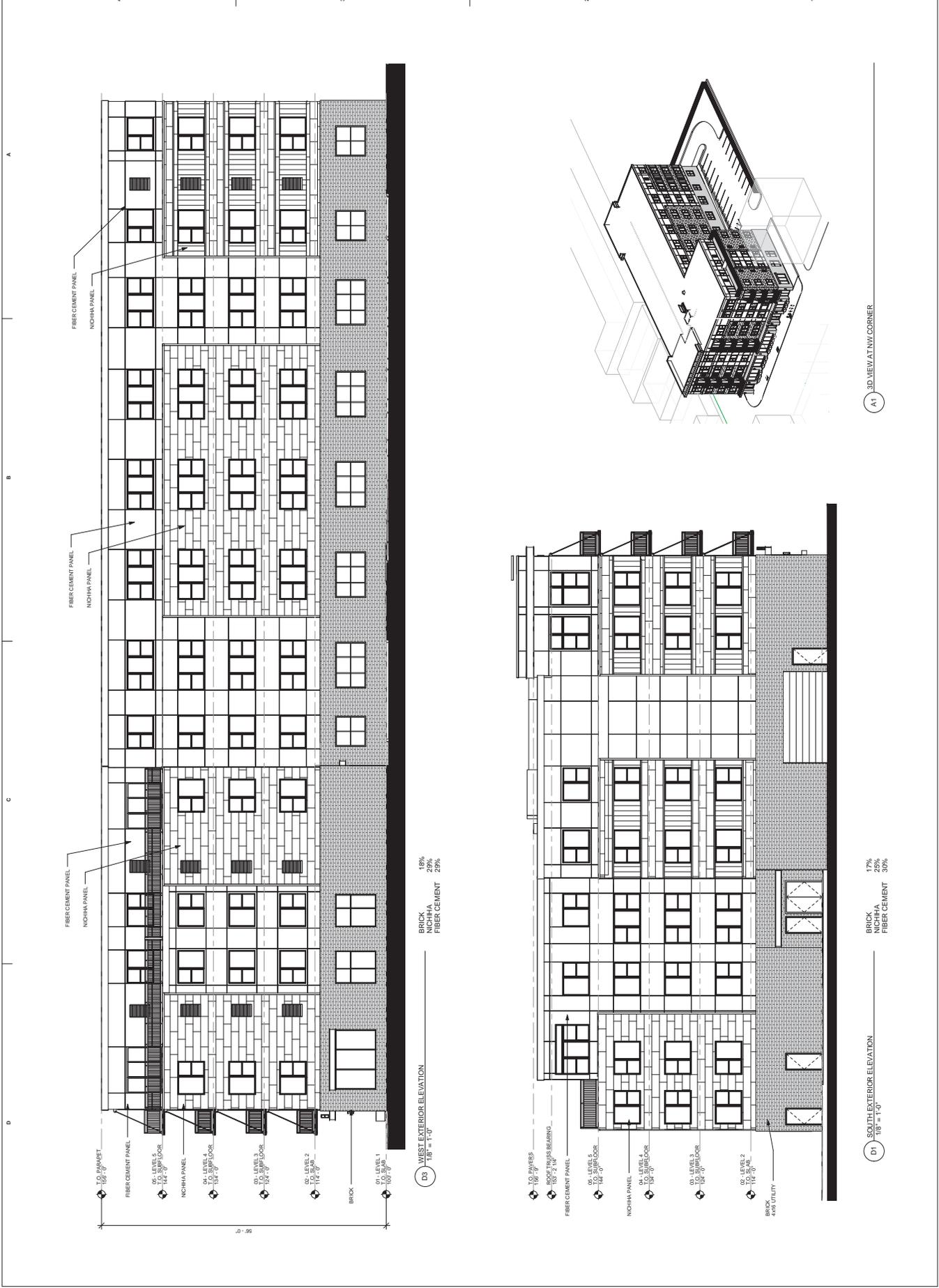
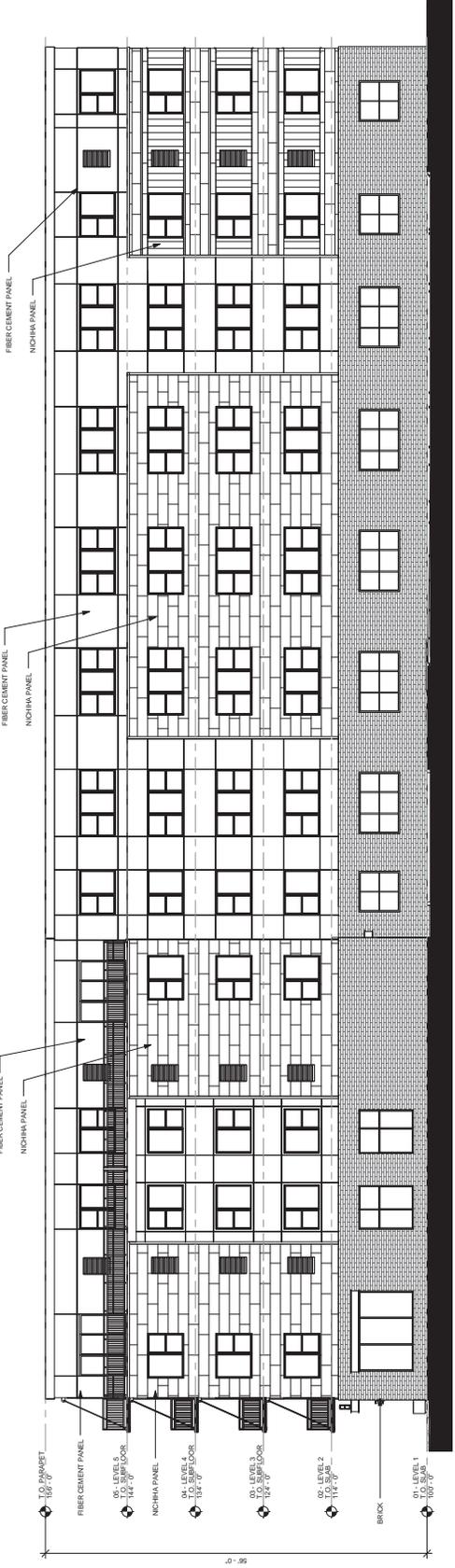
A1 3D VIEW AT NW CORNER



D1 SOUTH EXTERIOR ELEVATION
1/8" = 1'-0"



D3 WEST EXTERIOR ELEVATION
1/8" = 1'-0"





- A. Minneapolis College of Art & Design - 5 Stories
- B. Light Grey Art Lab - 3 Stories
- C. Sigme Burckhardt Manor - 7 Stories
- D. Mixed Use - 4 Stories
- E. Mixed Use - 4 Stories
- F. Mixed Use - 2 Stories
- G. Payday America - 1 Storie
- H. Peninsula Malaysian Cuisine - 1 Storie
- I. Lu's Sandwiches - 1 Storie
- J. Christos Greek - 1 Storie
- K. Black Forest Inn - 1 Storie
- L. Little Tijuana Restaurant - 2 Stories
- M. Gyst Fermentation Bar - 2 Stories
- N. Mixed Use - 3 Stories
- O. Armor Security - 2 Stories
- P. Mixed Use - 2 Stories
- Q. Spark Theater - 2 Stories

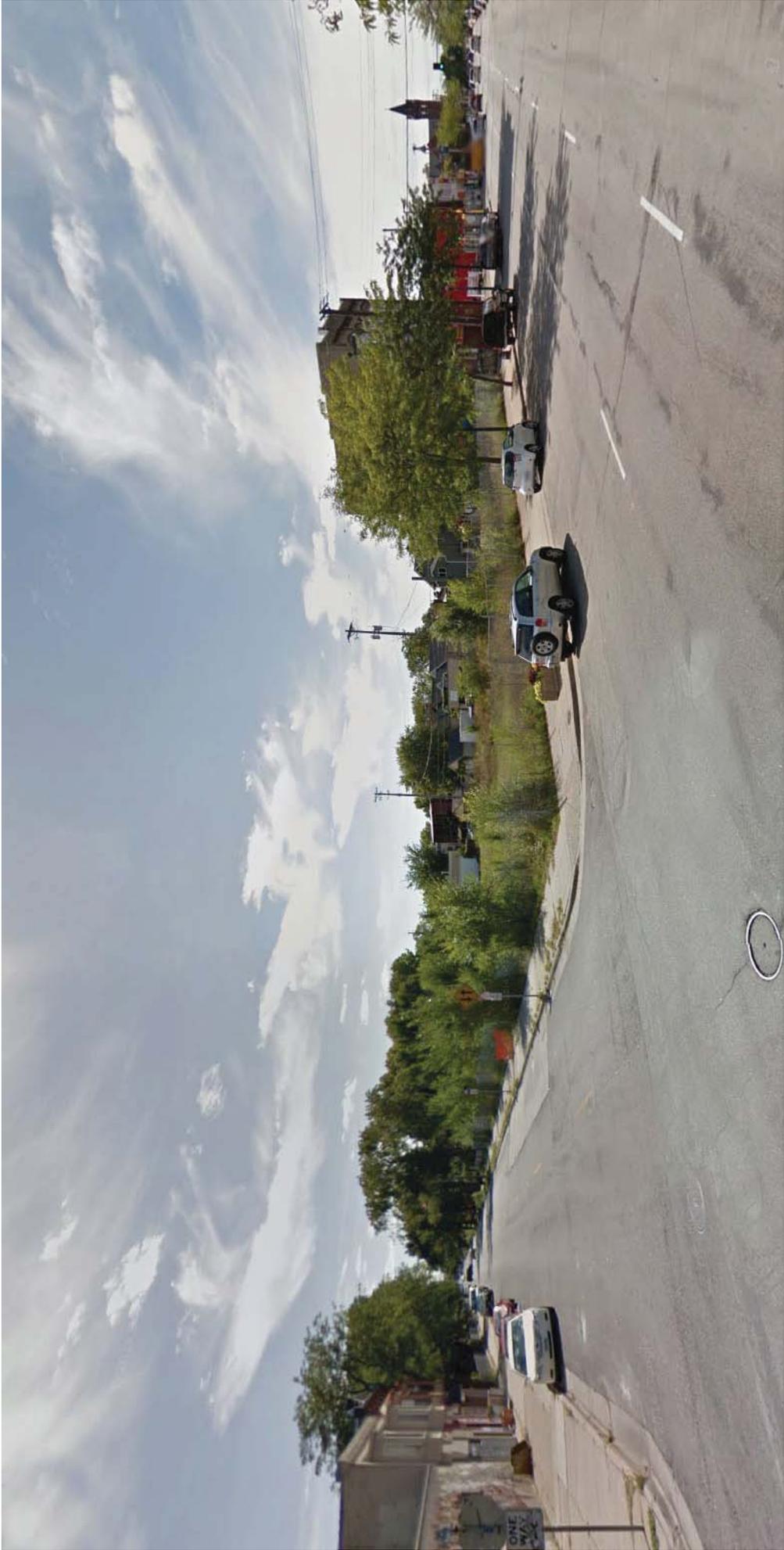
26TH & STEVENS APARTMENTS

Minneapolis, Minnesota

August 21, 2015

Site Context

15-007-00



26TH & STEVENS APARTMENTS

Minneapolis, Minnesota

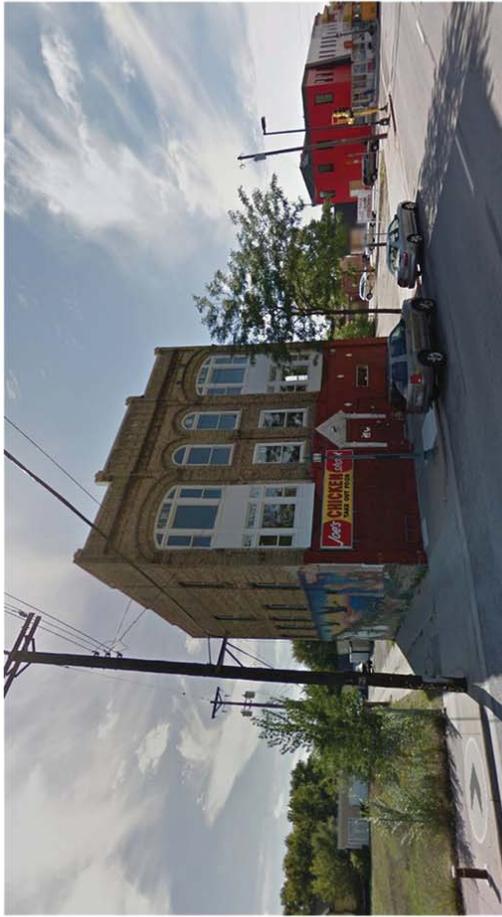
August 21, 2015

Site Perspective Existing

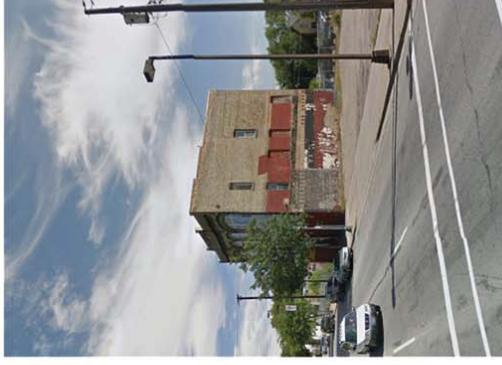
15-007-00



Building Across 26th Street to the north



Building across alley to the west



26TH & STEVENS APARTMENTS

Minneapolis, Minnesota

August 21, 2015

Site Context

15-007/00



Corner of 1st Ave S and
26th St. Looking NE.
7 Story Apt.



Corner of 1st Ave S and
26th St. Looking NW



Neighborhood
Murals

26TH & STEVENS APARTMENTS

Minneapolis, Minnesota

August 21, 2015

Site Context

15-007/00



Building across Stevens Ave. Looking South



Current condition of proposed building



Corner of 1st Ave S and 26th St. Looking SW



Nearby fence

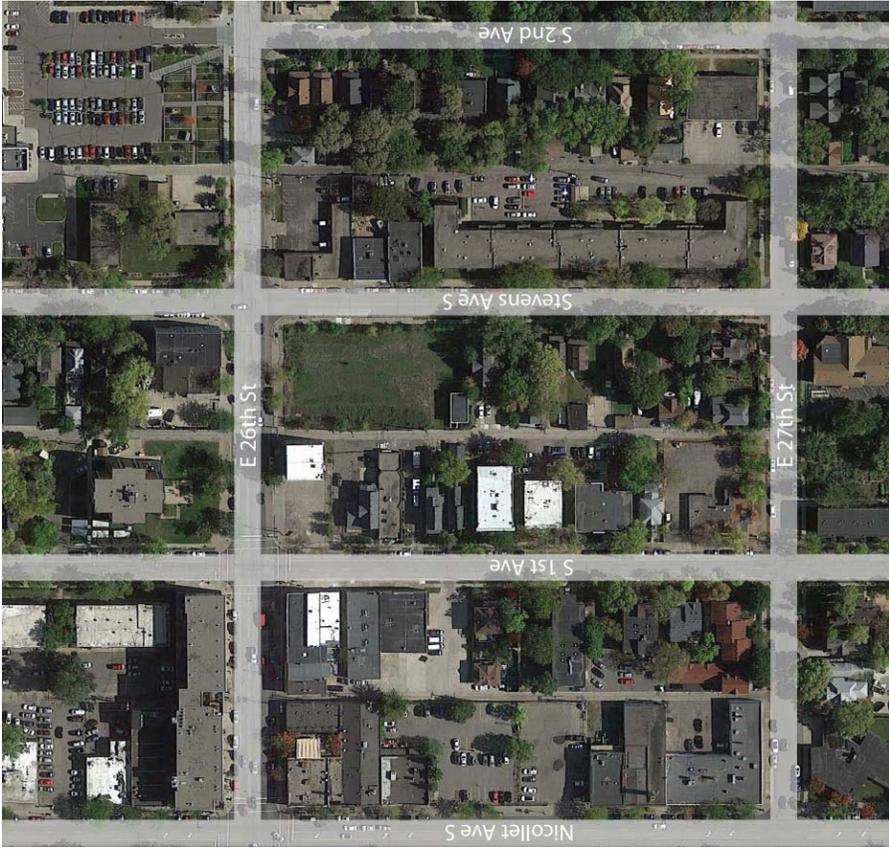
26TH & STEVENS APARTMENTS

Minneapolis, Minnesota

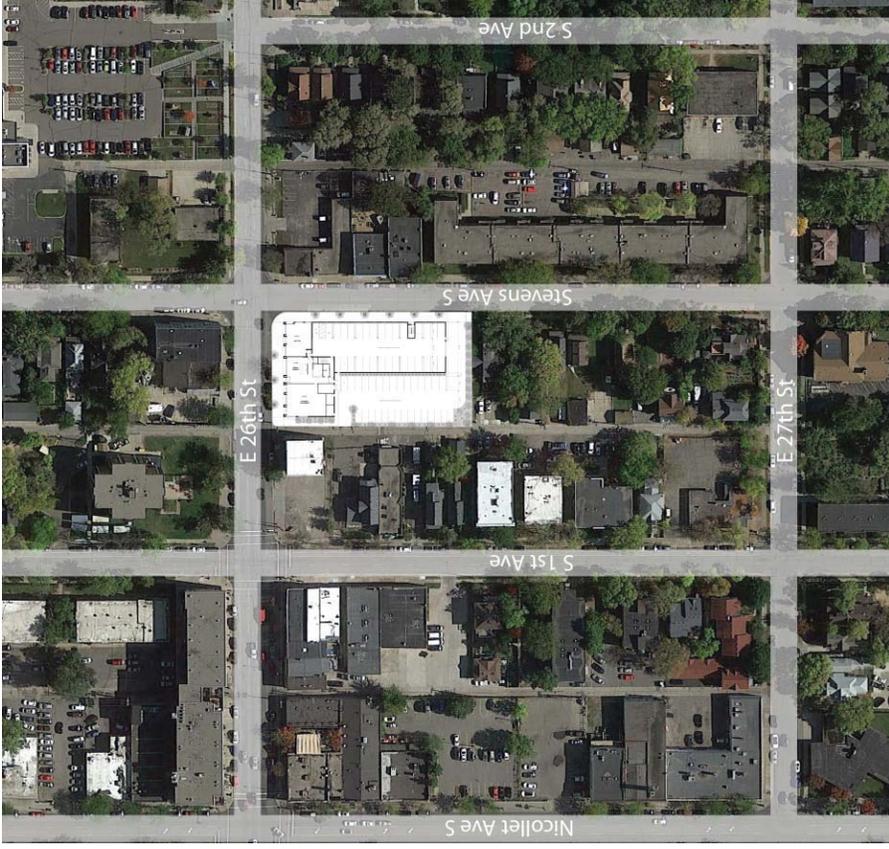
August 21, 2015

Site Context

15-0077.00



EXISTING



PROPOSED

26TH & STEVENS APARTMENTS

Minneapolis, Minnesota

August 21, 2015

Site Aerial - Existing/Proposed

15-007/00



26TH & STEVENS APARTMENTS

Minneapolis, Minnesota

August 21, 2015

Perspective of Proposed Building

15-007/00

DJR
ARCHITECTURE INC.



26TH & STEVENS APARTMENTS

Minneapolis, Minnesota

August 21, 2015

Perspective of Proposed Building

15-007/00





NORTH ELEVATION
ALONG 26TH ST.



EAST ELEVATION
ALONG STEVENS AVE

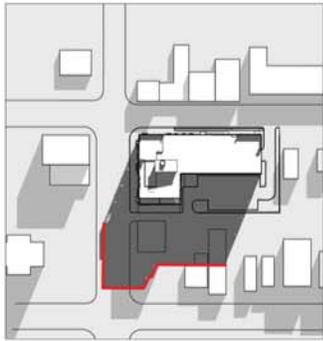
26TH & STEVENS APARTMENTS

Minneapolis, Minnesota

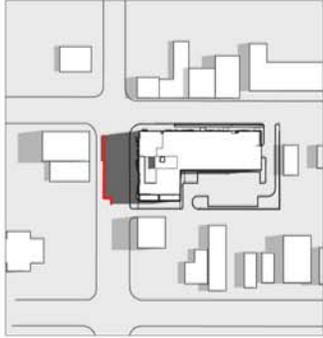
August 21, 2015

North and East Facades

15-007/00



8:16 AM (HOUR AFTER SUNRISE)
1" = 200'-0"



NOON
1" = 200'-0"



6:26 PM (HOUR BEFORE SUNSET)
1" = 200'-0"



RED LINE INDICATES PERMITTED
BUILDING HEIGHT AT 56'-0"

26th ST. AND STEVENS AVE. S.

MINNEAPOLIS, MN

SHADOW STUDY

MARCH 22

15-037

08/27/15

SS1

DJR
ARCHITECTURE, INC.



6:26 AM (HOUR AFTER SUNRISE)
1" = 200'-0"



NOON
1" = 200'-0"



8:03 PM (HOUR BEFORE SUNSET)
1" = 200'-0"



RED LINE INDICATES PERMITTED
BUILDING HEIGHT AT 56'-0"

26th ST. AND STEVENS AVE. S.

MINNEAPOLIS, MN

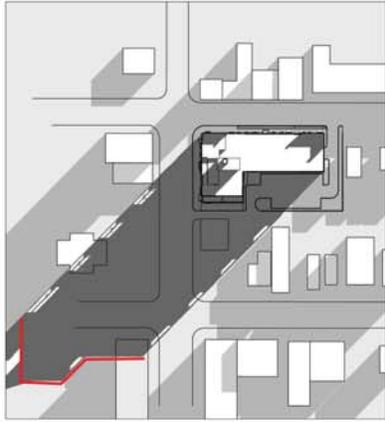
SHADOW STUDY
JUNE 21

15:037

08/27/15

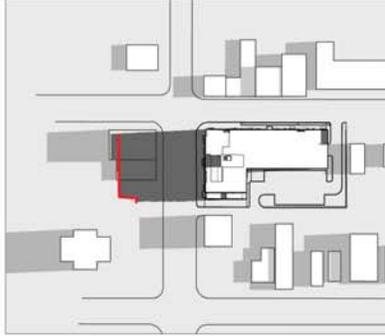
SS2

DJR
ARCHITECTURE, INC.

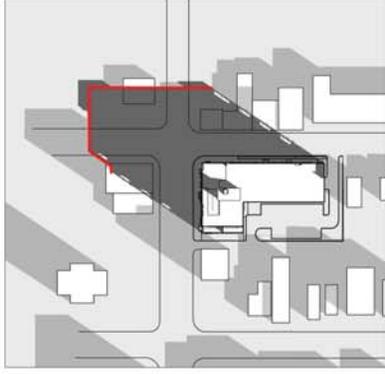


8:49 AM (HOUR AFTER SUNRISE)
1" = 200'-0"

RED LINE INDICATES PERMITTED
BUILDING HEIGHT AT 56'-0"



NOON
1" = 200'-0"



3:35 PM (HOUR BEFORE SUNSET)
1" = 200'-0"

26th ST. AND STEVENS AVE. S.

MINNEAPOLIS, MN

SHADOW STUDY
DECEMBER 22
15/037

08/27/15

SS3

DJR
ARCHITECTURE, INC.

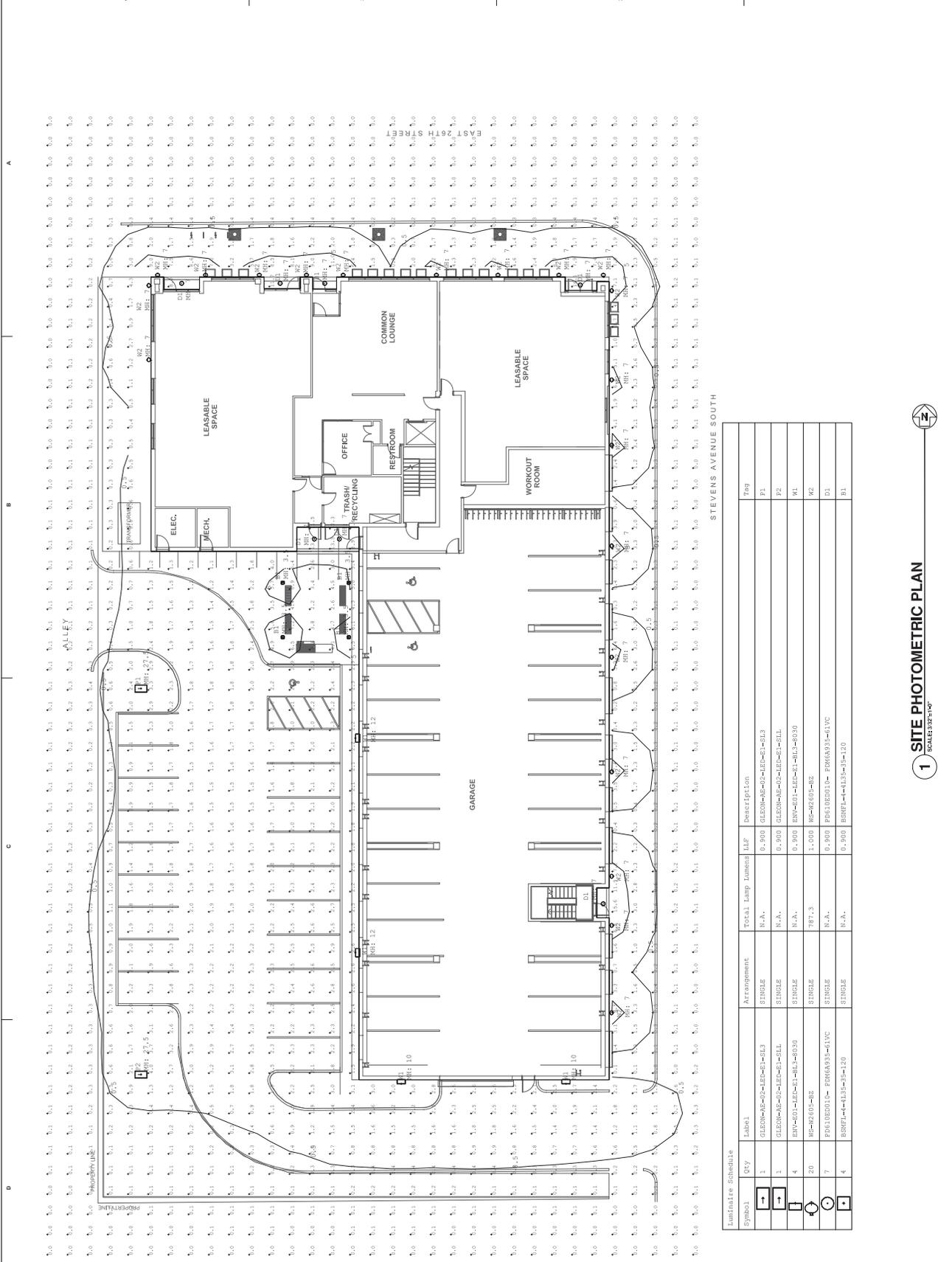
CONTRACTOR
KELLY B. ARIZ
9-9-2015
MN 26872

CLIENT
KELLY B. ARIZ
9-9-2015
MN 26872

PROJECT
26TH ST. AND STEVENS AVE.
MINNEAPOLIS, MN 55401

ARCHITECTURE INC.
333 Washington Ave N, Suite 210
Minneapolis, Minnesota 55401
612.676.2700 www.djr-arch.com

www.djr.com
333 Washington Ave N, Suite 210
Minneapolis, MN 55401
612.676.2700



Symbol	Qty	Label	Arrangement	Total Lamp Lumens	DLF	Description
1	1	GLEON-AB-02-LED-E1-SL3	SINGLE	N.A.	0.900	GLEON-AB-02-LED-E1-SL3
2	1	GLEON-AB-02-LED-E1-SL3	SINGLE	N.A.	0.900	GLEON-AB-02-LED-E1-SL3
3	4	BMY-E01-LED-E1-BL3-B030	SINGLE	N.A.	0.900	BMY-E01-LED-E1-BL3-B030
4	20	WP-W2E05-8E2	SINGLE	787.3	1.000	WP-W2E05-8E2
5	7	PR61E031B-F0R6A935-e1VC	SINGLE	N.A.	0.900	PR61E031B-F0R6A935-e1VC
6	4	BRHF1-4-4L33-15-120	SINGLE	N.A.	0.900	BRHF1-4-4L33-15-120

1 SITE PHOTOMETRIC PLAN
SCALE: 1/8" = 1'-0"



August 21, 2015

Lisa Bender
City of Minneapolis – Ward 10
350 South 5th Street, Room 307
Minneapolis, MN 55415

**STATEMENT OF PROPOSED USE /
PROJECT NARRATIVE
FOR
CPM - 26TH & STEVENS**

PROJECT DESCRIPTION:

The proposed project will redevelop a large, vacant site with a 5-story, mixed-use building with 70 apartments and approximately 4,055 SF of retail lease space. The purpose of this development is to add high-density, market-rate housing in an area that has not seen much new construction for many years. The site is close to many social, cultural, transit and recreational amenities, including the Minneapolis College of Art and Design, the Minneapolis Institute of Art, the American Swedish Institute, the Midtown Greenway bike trail, multiple bus routes (on Nicollet, Stevens, 26th), and the vibrant and diverse restaurants of the Eat Street Activity Center. It is also close to the medical employment center that includes Abbott Northwestern Hospital.

The 29,048 SF site is vacant and was previously occupied by a dry cleaning business that left highly contaminated soils, which have been undergoing a clean-up process for the past seven years. While the clean-up work has made redevelopment possible, the removal of any additional soil is cost prohibitive, so below grade parking is not a feasible option for the current proposed project.

The proposed project will have 26 enclosed parking spaces on the first floor along Stevens Avenue, with retail space and the apartment entry located on 26th Street East. An additional 21 parking spaces will be provided outside, between the building and the alley. Approximately 54% of the non-garage space will be retail to qualify for a density bonus. The active uses are located at the corners on 26th Street, which is the main pedestrian corridor (and also above the less contaminated section of the site). Floors 2-4 will have 18 units each. The 5th floor will have 16 units and will be stepped back 10' from the west facade of the lower floors to reduce the shading on the building across the alley to the west.

ZONING / VARIANCES:

The present zoning is C2 and has a pedestrian overlay. In addition to the site plan review the proposed project will require a CUP for height (from 4 stories to 5 stories) and a variance for FAR (70,233 proposed, 59,258 allowed). The parking requirements are met by utilizing the new parking reduction for sites within the mass transit areas.

August 21, 2015

Whittier Alliance
10 East 25th Street
Minneapolis, Minnesota 55404

**STATEMENT OF PROPOSED USE /
PROJECT NARRATIVE
FOR
CPM - 26TH & STEVENS**

PROJECT DESCRIPTION:

The proposed project will redevelop a large, vacant site with a 5-story, mixed-use building with 70 apartments and approximately 4,055 SF of retail lease space. The purpose of this development is to add high-density, market-rate housing in an area that has not seen much new construction for many years. The site is close to many social, cultural, transit and recreational amenities, including the Minneapolis College of Art and Design, the Minneapolis Institute of Art, the American Swedish Institute, the Midtown Greenway bike trail, multiple bus routes (on Nicollet, Stevens, 26th), and the vibrant and diverse restaurants of the Eat Street Activity Center. It is also close to the medical employment center that includes Abbott Northwestern Hospital.

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August 31, 2015

Daniel Oberpriller
CPM Companies
2919 Knox Avenue South #200
Minneapolis, MN 55408

Dear Dan,

I am writing to inform you of the action taken by the Whittier Alliance Board at its August 27, 2015, meeting on motions forwarded from the August 10, 2015, Community Issues Committee Meeting regarding the request for a setback variance, a Floor Area Ratio variance and a Conditional Use Permit.

Motion: The Whittier Alliance Board supports a Conditional Use Permit for the proposed mixed use development at the SW corner of 26th St & Stevens Ave. to increase from four stories to five stories and allow an increase to 62 feet at the two corners (as shown at Community Issues meeting on August 10), with the condition that the developers meet in good faith with the Whittier Alliance Design Review Task Force to address public concerns about the design and durability of the building. **Carried.**

Motion: The Whittier Alliance Board supports a setback ratio variance on the alley, from 15 to 13 feet for the proposed mixed use development at the SW corner of 26th St & Stevens Ave. **Carried.**

Motion: In light of the overwhelming community concern, the Whittier Alliance Board does not support the increased Floor Area Ratio from 59,258 to 66,985 for the proposed mixed use development at the SW corner of 26th St & Stevens Ave. **Carried.**

Motion: The Whittier Alliance Board requests that the developer meet with the Whittier Alliance's Design Review Task Force and members of the community to address public concerns regarding the design, durability and massing of the proposed mixed use development at the SW corner of 26th St & Stevens Ave. **Carried.**

The proposed development at 26th St & Stevens Ave was a lengthy discussion at the Whittier Alliance Board meeting. In considering the proposal, the Housing component of the Whittier Alliance Strategic Plan was referenced with goals to: expand housing quality and choice for residents; improve the condition, aesthetic and curb appeal of housing stock in Whittier; preserve and increase single-family and owner-occupied housing in the neighborhood.

There is support in seeing a development on the long vacant Corson Corner site however, significant opposition has risen among community members. In its decision, the Board took into account the online and paper petition signed by over 200 residents rejecting the proposal. The petition references concerns about the development's size and appearance consistent with the Board's. A further concern raised by Board is the durability of the building, with the interior and exterior of the building deteriorating in 10 and 25 years respectively.

Finally, the location of the development site is a critical one for the neighborhood, as it a highly visible gateway corner into the Whittier neighborhood. The Board wants the development to positively represent the community and requests that the CPM and DJR meet with the neighborhood Design Review Task Force. In the past, the Whittier Alliance Design Review Task Force has successfully worked with developers and architects to achieve a mutually satisfactory outcome.

The Whittier neighborhood appreciates your commitment to working with residents and the Whittier Alliance. I will convene the Task Force and contact you about scheduling a meeting.

Sincerely,



Marian Biehn
Executive Director

Cc: Hilary Dvorak, City Planner
Councilmember Lisa Bender
Scott Nelson, DJR Architects

Dvorak, Hilary A.

From: Giancarlo Casale <casale@umn.edu>
Sent: Monday, August 24, 2015 3:26 PM
To: Dvorak, Hilary A.
Subject: Concerns about Proposed Corson Corner Development

Dear Hilary,

As the owner and long-time resident of an adjacent property, I am writing to express some concerns about the proposed development at the Corson Corner lot on 26th st. and Stevens Ave S. in Whittier (presented to the Whittier Alliance Community Issues meeting on August 10th).

I have lived in a small house immediately across the alley from this property since 2006. In fact, I and my family moved into our home just a few weeks before a large vacuum pump for for the clean-up of the contaminated soil there was installed just behind my garage. As a result, I have long looked forward to the day when this property would finally be ready for development. I should also add that I fully support the city's goal of increasing density along transit routes and adding residents to the inner city, and it is in part for these reasons that I live where I do.

But all of that said, the present proposal is simply out of scale with our neighborhood: at 5 stories and 70 units, it would be by far the largest residential building anywhere in Whittier. It is the kind of development that would be appropriate for a site along the Greenway, or perhaps to replace the K-Mart at Lake and Nicollet. But it is certainly not appropriate for our block, where there are 10 single-family homes, including three that are immediately adjacent to this property.

With this in mind, an aspect of the building's design that I find especially disconcerting is the fact that, in order to squeeze in as many units and as many parking spaces as possible, the planned streetside entry from Stevens Ave. to the parking lot is only one car wide. This means that some 40-50 cars will regularly enter and exit the lot not from Stevens, but through our alley, which is simply not designed for so much traffic.

In the name of neighborhood stability, I would also question the proposed mix of units, which, according to the current plan, are overwhelmingly 1-bedrooms and alcoves. I believe I can speak for the vast majority of my fellow residents in saying that the kind of housing most desperately needed in our neighborhood is not more 1-bedrooms, but rather a wider selection of family-accessible 2- and 3-bedroom housing.

Let me conclude by saying that, when I moved into my house in 2006, I was told by the city that the industrial cleanup of Corson's Corner was expected to last two years. At that time, a 3-story, mixed-use development of townhouses and commercial space was planned for the site once the cleanup was completed. These plans seemed very appealing, and made the short-term prospect of living next to a superfund site seem worth the wait. And even after two years turned into three, and then five, and then seven, and then nine, the wait was made bearable by the appearance of other, equally appealing projects on a similar scale, including one that was presented to the Whittier Alliance as recently as last March. So it was quite a shock when, the very same week that I, my wife and my daughter finally watched the vacuum pumps and decontamination filter being pulled out of the ground behind our house at the beginning of last month, the neighborhood was first presented with this proposal for five stories and seventy units.

In short, had I known something on this scale might be built on the lot behind my house, I would never have moved in to begin with. But since the zoning at the site forbids such a building, I never imagined that it could be built -- at least not without our consent. As the city planner assigned to this project, I trust you will give these comments their due consideration.

Submitted respectfully,

Giancarlo Casale

Dvorak, Hilary A.

From: James W Riley <jimrileymusic@gmail.com>
Sent: Tuesday, September 08, 2015 11:56 AM
To: Dvorak, Hilary A.
Subject: Carson's Corner

Dear Ms. Dvorak,

I am writing to express my opposition to the current design of the proposed mixed-use development at the Corson Corner lot on the corner of Stevens Ave South and 26th. St. I am the owner of a single-family house across the alley from this site at 2617 1st Ave South, where I have lived for over twenty years.

To begin with, the current proposal, as submitted to the Whittier Alliance Community Issues Meeting on August 10th, is too large, far larger than any other building in the vicinity and out of character with the neighborhood. Second, because it consists overwhelmingly of one-bedrooms, and is being developed by a company that specializes in student housing, its design is detrimental to the goal of neighborhood stability (currently, most of the people who live on our block are long-time residents, including several families with children). Finally, I should add that I am a professional driver (I work as a courier), and need regular, unimpeded access to my alley parking as well as a safe entry and exit from the alley at 26th street. I am very concerned that the current plan calls for over 40 more cars to use our alley on a daily basis, while at the same time asks for an encroachment onto the alley entrance at 26th as one of its requested variances.

Call me old fashioned, but I believe that new buildings should conform to local zoning unless 1) the neighbors are in support of a zoning variance and 2) the variance would allow something to be built on a site that is in the interests of the neighborhood as a whole, or at the very least not detrimental to it. Over the years, as we have waited for the cleanup of this site to be completed, the neighborhood has been presented with several projects that would have been real assets to their surroundings. But this building is essentially a high-end private dorm for MCAD students, the last thing one would normally build on a street of single-family homes. If we must live next to a building like this, the least we can ask as residents and property owners is that it not be even bigger, have even more stories, and encroach even more invasively onto the ally than zoning allows.

Also - because I'm low-income - I use an antenna for TV reception and this building will probably cause major reception problems because the signal comes from Shoreview and the structure will be higher than my antenna and is positioned directly in the path of the signal. I'm also concerned about the already-crowded internet airwaves. I'd like to see a study that would clarify these issues.

Thank you for your consideration,

Jim Riley

Dvorak, Hilary A.

From: Sinem Arcak <sinem004@gmail.com>
Sent: Wednesday, September 16, 2015 11:27 AM
To: Dvorak, Hilary A.
Subject: Development at E 26th St & Stevens Ave S

Dear Ms. Dvorak,

As a neighbor and homeowner, I am writing to express my opposition to the request for variances and a conditional use permit for the proposed mixed-use development at E 26th St. and Stevens Ave South. The project is simply too large, too tall, and has too many units. It will also create an increased level of traffic (particularly in our shared alley) that will present a danger to my children. I do not understand why the developers cannot simply build a structure that conforms to local zoning. Moreover, I have serious concerns about the neighborhood consultative process regarding the variance requests for this development. These concerns are as follows:

- 1) The neighborhood was first informed about a vote on requested variances only three days before the scheduled Community Issues meeting (this notice arrived on a Friday afternoon, in the middle of August, for a meeting the following Monday). Most neighbors were therefore either out of town or caught unaware, and fewer than 30 people voted.
- 2) At the CI meeting, the developer left attendees with the impression that the property had been sitting empty for 10 years waiting for an investor, and many people who voted in favor of the requested variances cited this history as a decisive motive even though they believed the project was too big. But in fact, the environmental clean-up of the site was ongoing from 2004 until the first week of this July, which is the main reason why nothing had been built there. In other words, the property had been ready for development in its current condition not for years but only for a matter of weeks. (I know this because I personally witnessed them shut down the vacuum pump and remove the container of toxic waste from the site in early July, as I live next door). In this sense, the history of the site was gravely misrepresented, and votes were cast under false pretenses.
- 3) At the CI meeting, the developer repeatedly argued that the variances were necessary "to make the project financially viable." But when neighbors asked for specifics to back up this claim, they were refused.
- 4) Subsequent to the CI meeting, as word spread about the details of the project, and neighbors became more informed about the site's history, we circulated a petition requesting that the project be reduced in size to conform to zoning. Close to 200 signatures were then presented to the Whittier Alliance. Yet despite the fact that fewer than 20 people had voted in favor of the requested variances at the CI meeting, and no vote at all was held at the Whittier business meeting (for lack of a quorum), the Whittier Board nevertheless voted to approve the variance requests.
- 5) Thereafter, the developer added several thousand additional square feet to the design proposal submitted to the city, without further consultation with the neighborhood regarding the increased FAR (presumably because, considering how close the first vote at the CI meeting had been, it was clear that an even larger design would never have passed). So the current proposal is not even the one approved by the handful of neighbors who voted for the original project.

Ms. Dvorak, before concluding, I want to say the following: I am an immigrant from Turkey, having lived in the U.S. for 11 years, and at my current address for nine years. Living in this country, and in this city, has been

the fulfillment of a longtime dream for me. But over the past few weeks, as I have learned about this project, and seen how much discontent there is in the neighborhood, I have been shocked by how many times I have heard people say "It's useless for us to fight this. The city doesn't care about zoning. They don't care about the rules. They don't care about what the neighbors want, or about what homeowners think. All they care about are tax revenues and the interests of big developers." Is this really true? It certainly describes my experience of the way things work in Istanbul. But when I came to this country, I expected--and still expect--the system to work differently.

Respectfully,

Sinem Arcak

Dvorak, Hilary A.

From: Brian Foster <foster4artfloors@earthlink.net>
Sent: Thursday, September 17, 2015 5:24 PM
To: Dvorak, Hilary A.
Subject: 26th & Stevens Corsons Corner

Dear Ms. Dvorak,

I am writing in regards to the proposed 70-unit mixed-use development at the corner of E 26th and Stevens Ave South. I am a long-time resident and owner of a single-family house just south of this property on Stevens Ave. I have therefore looked forward to the day when this site could be developed. However, the current proposal, which exceeds zoning both for height and for FAR, is simply too large and invasive to be built immediately next door to a row of single, detached residences.

In particular, I note that the while the main structure of the building is 54' ad five stories (while no other building on our street is above 2.5 stories) , the side of the building directly facing my property features a 61' parapet'. In the city's comprehensive plan, land use policy 1.2 requires "appropriate transitions between uses with different size, scale, and intensity." I challenge the developers to justify how a 61' parapet next to a two-story house is an "appropriate transition," and am writing to voice my opposition both to this feature, and to the overall scale of the building on the Stevens St. side.

I have lived in my home since 1989. I've witnessed many changes on this corner on the city. I have following the history of this site so I'm aware of what we are dealing with. I have patience I'm not ready to jump on the first thing that comes along. We deserve better than this proposal.

Thank you for your time,



Brian Jon Foster ☯ ☯
2626 Stevens Ave South
Minneapolis, Minnesota 55408-1634
e-mail: brian@brianjonfoster.com
tethered-line: 612-870-1851
iPhone: (612) 850-8491

<http://www.brianjonfoster.com/>

Behind every great man is a woman rolling her eyes.

Dvorak, Hilary A.

From: Giancarlo Casale <casale@umn.edu>
Sent: Friday, September 18, 2015 2:28 PM
To: Dvorak, Hilary A.
Subject: Neighborhood Petition re. 26th and Stevens
Attachments: petition p.1.pdf; petition p.2.pdf; petition p.3.pdf; petition p.4.pdf; petition p.5.pdf; petition p.6.pdf; petition p.7.pdf; petition p.8.pdf; petition p.9.pdf; Petition Regarding 26th and Stevens.docx; Copy of online signatures.xlsb

Dear Hilary,

For your file regarding the application for variances and a conditional use permit for 26th St. and Stevens Ave, please find attached a neighborhood petition and a list of signatures. Files 1-9 are signatures from the hard copies of the petition that have been circulated. File 10 is the full text of the petition. File 11 is the spread sheet of names from the online version posted on Move.org. You can also find comments associated with these online signatures at: https://www.change.org/p/only-whittier-residents-should-sign-minneapolis-planning-commission-minneapolis-city-council-stop-the-70-unit-5-story-development-at-26th-st-stevens-ave-s?utm_source=guides&utm_medium=email&utm_campaign=petition_created.

In all there are about 150 signatures to the hard copy and another 55 from the online version (although there may be a handful of duplicates). Please note for the file that signatories include the owners and residents of all the adjacent properties that share an alley with the development site, as well as most of the businesses in the immediate vicinity (including Gyst, Just In Case Staffing, Little Tijuana's, B.s Resale, 102 Architects, and Light Gray Art Lab).

Thanks again for your help, and have a good weekend.

Giancarlo Casale

Petition to Stop the 70 Unit, 5-story Development at 26th St. & Stevens Ave S.

Whereas a request for zoning variances and a conditional use permit for the property at 26th St. and Stevens Ave S. has been recently submitted to the Whittier Alliance for approval:

We, the undersigned, urge the Minneapolis Planning Commission and the Minneapolis City Council **not to approve** the development currently proposed for the Corson's Corner lot at 26th St. and Stevens Ave South without significant design changes. As residents of the Whittier neighborhood, we have long looked forward to a mixed-use development at this site that would anchor the unique cultural, artistic, and residential community that surrounds it. But the current building plan for the site, presented at the Whittier Alliance Community Issues meeting on August 10th, is both uninspired in its design and of a physical scale so out of proportion with its surroundings that it threatens the future vitality of our community. We therefore petition:

- 1) **That the design of the building should reflect the unique character of the site.** As currently proposed, the development is virtually indistinguishable from several residential buildings either recently built or currently under construction in various neighborhoods throughout the city. It does not do justice to the uniqueness of its immediate surroundings, which include the Washburn-Fair Oaks Historic District, the MCAD Sculpture Garden, and the Fall Out Arts Coop (all directly facing the site), as well as a Designated Historical Landmark (the Despatch Laundry "Onion Dome" at 2611 1st Ave) and another recently renovated historic building (the former "Joe's Chicken Shack") that are both immediately adjacent properties. **We support a structure with a daring, innovative design that will accentuate the architectural heritage of this unique corner of the city.**

- 2) **That the size of the development should be reduced to conform to existing zoning ordinances and the site plan adjusted to allow occupancy by families.** As currently proposed, with five stories and 70 units (all but 16 of which are standard one-bedroom or smaller), this structure would be far larger than any residential building in Whittier, and out of character with the large proportion of families with children that are currently residents and/or looking for housing in the neighborhood. **We support a structure with a maximum of 4 stories (as required by local zoning), with a reduced number of units to stay within the allowed FAR, and with a wider mix of 2 and 2+ bedroom apartments to accommodate families.**

To conclude: the Corson's Corner lot at 26th St. and Stevens Ave South stands just two blocks from the heart of Eat Street along Whittier's main point of entry from the east. It is, in many ways, the gateway to the neighborhood. As residents, we have waited patiently for over a decade for the industrial cleanup of this property to be completed,

trusting that it would one day become the site for a special kind of building—one that sets us on an exciting path of future development while preserving and celebrating the uniqueness of our community. The current proposal for the site accomplishes neither of these things. Both our neighborhood, and our city, deserve better.

Submitted respectfully,

Printed Name	Signature	Address	Comment
Kerry Collins	Kerry Collins	2533 1 st Ave S.	
Kathy Hajdukiewicz	Kathy Hajdukiewicz	2533 1 st Ave. S	Ugly - Big
Chad Thomas	Chad Thomas	118 26 th Ave East	
Cody Hoskins	Cody Hoskins	118 26 th St mpls	Disgusting for Traffic + Noise
Megan Kottstad	Megan Kottstad	2605 2nd Ave	
Leana Harris	Leana Harris	2640 2nd Ave S apt 29	Too Big.
Don Zurek	Don Zurek	2616 2nd Ave S apt 4	BIG!
Sia Ross	Sia Ross	2603 2nd Ave S	Don't need to over crowd is it really feasible?
Cecci Svalle	Cecci Svalle	2621 3 rd Ave #30N	Too big
Jane Crandall	Jane Crandall	206 East 27 th St Lower	Too big
Mike Crandall	Mike Crandall	206 E 27 th St upper	Too big
Angela Wilson	Angela Wilson	206 E 27 th St Upper	Too Big.
DOMINIC THOMKE	Dominic Thomke	2708 2nd Ave S	
Mike Heuchert	Mike Heuchert	2731 2nd Ave S	Too big + too
Jan Rogers	Jan Rogers	2778 Stevens Ave	stay within zoning
Jesse Nagamatsu	Jesse Nagamatsu	205 E 27 th St apt 4	
Hopi Hohmeyer	Hopi Hohmeyer	2714 Stevens Ave	
Rachel Scepaniak	Rachel Scepaniak	2716 Stevens Ave	

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Submitted respectfully,

Printed Name	Signature	Address	Comment
Cheryl Reelinger	<i>[Signature]</i>	APT 223 2633 STEVENS AVENUE Mpls 55408	
MARK MAHONEY	<i>[Signature]</i>	102 E. 25th St. Mpls. MN 55404	Development - B Path Switch
DIANE E GORNEY	<i>[Signature]</i>	2524 Stevens Ave Mpls 55404	
Deb Girdwood	<i>[Signature]</i>	100 E 25th St 55404	
Brooks Mahoney	<i>[Signature]</i>	102 E. 25th St 55404	
Donna Kelly	<i>[Signature]</i>	111 East 25th St. 55404	
Sam Milsten	<i>[Signature]</i>	109 East 25th St. 55404	
Steve Kelly	<i>[Signature]</i>	111 E. 25th St. 55404	
COLE STREHLICH	<i>[Signature]</i>	205 E 27th St 55408	
John H. Myer	<i>[Signature]</i>	2040 2nd Ave S Mpls 55406	
Janic Upzajal	<i>[Signature]</i>	2028-2nd Ave S	
Judi Nelson	<i>[Signature]</i>	2624 2nd Ave S	
Adam Lawrence	<i>[Signature]</i>	2637 2nd Ave S	No Thanks
Megan Craig-Kuhn	<i>[Signature]</i>	2616 2nd Ave S	Item #2
Wanda Classen	<i>[Signature]</i>	2701 STEVENS AVE	was at meeting, it to leave before vote
Alexis Walstad	<i>[Signature]</i>	2701 Stevens Ave	Unable to attend want more discuss
Arella Vargas	<i>[Signature]</i>	2721 Stevens Ave	
Andrea Dahl	<i>[Signature]</i>	2728 Stevens Aves.	
Jamal Ahma	<i>[Signature]</i>	2734 Stevens Ave	Too Big
Osman Aden	<i>[Signature]</i>	2736 STEVEN AVE	

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Submitted respectfully,

Printed Name	Signature	Address	Comment
Jeanne Kaether		2707 1st Ave S Minneapolis 55408	
Paul Fedenberg		2705 16th Ave S 55408	more bedrooms
Victoria Bortolow		2815 1st Ave S	stewart
Jared Stulen		267 E 27th St. #B 55406	
Josent West			
Andre Thomas		2625 1st Ave	
Pete Akola		2625 1st Ave	
MICO G.		2625 1st Ave	
SOCORRO		2743 1st Ave S. #106	
Jennings Lane		27th Stevens Ave	
Neok Chau		2717 1st Ave. S.	please no!
James Byrdell		2701 1st Ave S.	
DREW ALLEN		2646 PLEASANT AVE	AFFORDABLE HOUSING FOR LOW INCOME F
Paulmer Johnson		2507 Nicollet Ave	
Loriana Tosca		2507 Mullet Ave #9	
Lisa Kill		2529 1st Ave S Mpls	
KEARA BAILEY		2445 1st Ave. S. Mpls, MN 55404	
Laura Van Riper		2445 1st Ave S Mpls, MN 55404	
E. Nahr		2445 1st Ave S Mpls, MN 55404	
Liana Killard		2445 1st Ave S 55404	

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Submitted respectfully,

Printed Name	Signature	Address	Comment
Bruce Landeen	<i>Bruce Landeen</i>	2628 Stevens Ave	Too high!
Don Goldstein	<i>Don Goldstein</i>	144 26th St.	Too tall!
CHRIS HATNY	<i>Chris Hatny</i>	118 E 26th St	
LINDSAY NOHK	<i>Lindsay Nohk</i>	business owner - bakery. 118 E 26th St #101	NEEDS A NICE Bldg. TOO VGLY!
Jenny Booker	<i>Jenny Booker</i>	118 E. 26th Street suite 101	
John C. Denda	<i>John C. Denda</i>	2834 Stevens	Not right ^{for the} neigh but keep affordable
<i>[Signature]</i>	<i>[Signature]</i>	2421 Clifton Ave	
Kermit Graber	<i>Kermit Graber</i>	2501 Stevens Ave	MCAD employee
Alex Knutson	<i>Alex Knutson</i>	2408 4th Ave	MCAD student
Christopher Schudt	<i>Christopher Schudt</i>	2011 3rd Ave S	We want a more creative design!
LEONEL REYES	<i>Leonel Reyes</i>	2011 3rd Ave S	1 BDRooms?
Sterling Edwards	<i>Sterling Edwards</i>	2501 Stevens Avenue 2540	MCAD Student
Akash Jaahav	<i>Akash Jaahav</i>	2500 Stevens Ave	MCAD stud
CARLY HAACK	<i>Carly Haack</i>	118 E 26th St Apt 103	its JULY
Dora Klenchenko	<i>Dora Klenchenko</i>	2449 3rd Ave. So.	TOO BIG FOR SITE!
Nancy Hicks	<i>Nancy Hicks</i>	2341 3rd Ave S.	Rude.
JONATHAN HERRECA	<i>Jonathan Herreca</i>	2541 3rd Ave S. Unit 1.	5790 Berger Dr. my comment
Rebelle John Sam	<i>Rebelle John Sam</i>	211 E 26th St	Too High
Margaret Berg	<i>Margaret Berg</i>	2625 Stevens Ave.	Zoning prohibits
Grant M. R. O.	<i>Grant M. R. O.</i>	2530 Ste. & 4th	

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Submitted respectfully,

Printed Name	Signature	Address	Comment
Bob Zehrer		2406 Irving Ave S.	too large... lacking character!
CO/owners of 2621 1st Ave S.		also 2621 1st Ave S.	
Wyn Huynh		2621 1st Ave S.	
Jessie Scoggin		2621 1st Ave S. #4	too large, not for
KARL SASS		2621 1st Ave S #3	no thanks, eyes
Rosemary Kimball		2621 1st Ave S #8	
Spencer Witter		2621 1st Ave S #1	
Steven McCormick		2621 1st Ave S #2	Not in my neighborhood
Brianne Berger		2621 1st Ave S #7	11 b
Jesse ^{Nevman} Peterson		2620 Stevens Ave #2	
TAM JOHNSON		114 W 27th ST	TO LARGE
Shana Vachhani		225 W 27th St	
Steven Stodtka		231 W 27th St	Too High
Gretchen Roesler		2632 Harriet Ave	too large
Brigid Butler		2628 Harriet Ave	too large
Paul Martin		2628 Harriet Ave	
Julia LaMour		2017 2nd Ave S	too expensive

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Submitted respectfully,

Printed Name	Signature	Address	Comment
Elliot Hebert		2527 1st Ave S #1	Keep it cool
Thomas Conzel		2511 1st Ave S #1	
Say Mahinney		2527 1st Ave S #2	too cool,
KEVIN BEANSON		100 E. 25th St	
Jill Clearman		25 E 25th St #21	
MARISA NAVARRO		22 E 25th St #5	
Todd Kohn		2440 1st Ave S. #1	
Theresa Peterson		14161 Belfast Ct.	
TORI KURT		2516 Harper Ave #1	
MITCHELL EGERT		2516 HARPER AVE	
Andy Schorst		2432 1st Ave	
ROSE WITTEBERG		2312 1st AVE	Keep OUR NEIGHBORS
Nicola Valentines		2312 1st Ave	So cool
Ben Bothweyer		2319 1st Ave S.	
Neil Derachin		2319 1st Ave S	
DALILA FRIEDMAN		2405 1st Av. S	
Catherine D. Stocker		10 E 26th St Apt 315	
Irene P. Faass		105 E 25th St.	

Jeff

JS MALAKAI 1.0@gmail.com

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Submitted respectfully,

Printed Name	Signature	Address	Comment
JS MALAKAI, Jeff		2645 Stevens	
Jessica Conklin		2622 3rd Aves.	Condos Suck!
Garrett Johnson		2634 Blaisdell Ave.	
Kathleen Javor		2634 Blaisdell	
COUN GATLING		2512 1st Ave. S.	
Lisa Smyth		2512 1st Ave. S.	!
Chelsea Draken		2017 2nd Ave S	eww!
Delia Johnson		2005 1st Ave S	
Bennett Datas		14 east 27th st	
Mary Medill		12 E 27th St.	
Danz McDill		12 E 27th St.	too dense!
DAVE La Vidette		2721 STEVENS AVE	Way too High!
Marcos Mireles		2740 1st Ave S.	
SJR Atwood		2638 2nd Ave	
BRIAN FOSTER		2626 STEVENS	
Sinem Arcah		2615 1st Ave S	ugly!
Hardy Griffin		2645 1st Ave	

Name	City	State	Postal Code	Country	Signed On
Sinem Casale	Minneapolis	Minnesota	55408	United States	8/17/2015
Aron Goodner	Minneapolis	Minnesota	55407	United States	8/17/2015
Brian Foster	Minneapolis	Minnesota	55406	United States	8/18/2015
Heather Cram	Minneapolis	Minnesota	55404	United States	8/18/2015
Conor OBrien	Minneapolis	Minnesota	55404	United States	8/18/2015
Susan Swanson	Minneapolis	Minnesota	55412	United States	8/18/2015
Jessica Pollak	Minneapolis	Minnesota	55404	United States	8/18/2015
Dave La Violette	Minneapolis	Minnesota	55408	United States	8/18/2015
dylan rosen	Minneapolis	Minnesota	55408	United States	8/18/2015
Anna flores	Minneapolis	Minnesota	55405	United States	8/18/2015
Richmond Hayes	Minneapolis	Minnesota	55404	United States	8/19/2015
Chloe Scholtus	Minneapolis	Minnesota	55404	United States	8/19/2015
Evan Murnane	Minneapolis	Minnesota	55411	United States	8/19/2015
Charles Test	Minneapolis	Minnesota	55408	United States	8/19/2015
izaak thompson	Minneapolis	Minnesota	55404	United States	8/19/2015
Wesley Lummus	Minneapolis	Minnesota	55414	United States	8/19/2015
John Manke	Minneapolis	Minnesota	55455	United States	8/19/2015
peter wohler	Minneapolis	Minnesota	55408	United States	8/19/2015
Jillian Wilzbacher	Minneapolis	Minnesota	55408	United States	8/19/2015
Danielle Gray	Minneapolis	Minnesota	55408	United States	8/19/2015
Michael Hudy	Minneapolis	Minnesota	55408	United States	8/20/2015
Daniel Schulz-Jackson	Liberal	Kansas	67901	United States	8/20/2015
Rebekah Schulz-Jackson	Minneapolis	Minnesota	55404	United States	8/20/2015
Jackson Marketon	Minneapolis	Minnesota	55408	United States	8/20/2015
Andrea Dahl	Minneapolis	Minnesota	55408	United States	8/20/2015
osla thomason	Minneapolis	Minnesota	55404	United States	8/20/2015
Sarah Kolman-Keen	Minneapolis	Minnesota	55408	United States	8/20/2015
Rachel Blanford	Minneapolis	Minnesota	55405	United States	8/20/2015
Eric Levy	Minneapolis	Minnesota	55404	United States	8/20/2015
Leo Whitebird	Mpls	Minnesota	55408	United States	8/21/2015
Karin Dahlin	Minneapolis	Minnesota	55404	United States	8/21/2015
kelly minard	Minneapolis	Minnesota	55408	United States	8/21/2015
Jorge Rivas	Minneapolis	Minnesota	55408	United States	8/21/2015
Megan Merrill	Minneapolis	Minnesota	55408	United States	8/21/2015
Amesha Williams	Minneapolis	Minnesota	55407	United States	8/21/2015
Steph Lee	Minneapolis	Minnesota	55405	United States	8/22/2015
Alex Ives	Minneapolis	Minnesota	55419	United States	8/22/2015
Julian Ward	Minneapolis	Minnesota	55414	United States	8/23/2015
C. John Hildebrand	Minneapolis	Minnesota	55407	United States	8/23/2015
Marco Sgarbi	Padova		35127	Italy	8/23/2015

Bryan Frank	Minneapolis	Minnesota	55419 United States	8/23/2015
Paul Fudenberg	Minneapolis	Minnesota	55408 United States	8/23/2015
Patrick Hamilton	Minneapolis	Minnesota	55403 United States	8/24/2015
Emily Bujold	Minneapolis	Minnesota	55406 United States	8/24/2015
Reem El-Radi	Minneapolis	Minnesota	55408 United States	8/26/2015
Erik Farseth	Minneapolis	Minnesota	55405 United States	8/26/2015
Ashley Day	Minneapolis	Minnesota	55404 United States	8/26/2015
Brooke Depenbusch	Minneapolis	Minnesota	55405 United States	8/26/2015
Brian Foster	Minneapolis	Minnesota	55408 United States	8/26/2015
Matt King	Minneapolis	Minnesota	55404 United States	8/27/2015
Selen Özakhun	Minneapolis	Minnesota	55401 United States	8/27/2015
Laurna Vasquez	Minneapolis	Minnesota	55404 United States	8/27/2015
Sara Tucker	Minneapolis	Minnesota	55404 United States	9/1/2015
Nolan Morice	Minneapolis	Minnesota	55404 United States	9/3/2015
Catherine Katt	Minneapolis	Minnesota	55404 United States	9/9/2015

Neighbors' Response to the 26th and Stevens
Statement of Proposed Use and Project Description

The following has been prepared by the owners and occupants of residential properties in the immediate vicinity of the proposed development at 26th St. and Stevens, and summarizes our position regarding the application for a conditional use permit and FAR variance. In principle, we support the idea of a multi-story mixed use development at the site, and would be happy to endorse a proposal that addresses our concerns regarding appropriate design, safety, and particularly the size and height of the building on the Stevens Ave side. But we strongly oppose the proposal in its current form, take issue with many of the application's justifications for the present design, and urge the planning commission not to approve either the conditional use permit to increase the height of the building or the zoning variance to increase maximum FAR.

Response to the Description of the Site:

The applicants' proposal describes the site's location as "an area that has not seen much new construction in many years." A more accurate description might be that the area around 26th St. and Stevens Ave features an unusually high concentration of historic and architecturally significant buildings. These include a registered architectural landmark adjacent to the development site (the "Despatch Laundry" at 2611 1st Ave), and the Washburn-Fair Oaks historic district that begins across the street.

The area is also in the midst of a wave of remodeling and restoration of its historic housing stock. In just the past year, two 19th-century buildings immediately to the west of the development site on 26th street have been extensively renovated, while three other buildings directly facing the site on both 26th and Stevens Ave have been upgraded or repainted. At the same time, the intersection has become the center of a thriving arts and design district, with multiple architectural firms, design studios, art galleries and performance spaces located within a one-block radius. The owners of these businesses have been attracted to the area in large measure because of its unique architectural character, and many are signatories to the residents' petition (submitted separately) that expresses concerns about the current project's design, its scale, and its impact on the neighborhood. To summarize: through the thoughtful utilization of its architectural assets, over the past few years 26th and Stevens has become a vibrant, culturally significant corner of the city. It is therefore deserving of careful stewardship on the part of the planning commission to ensure that heavy-handed development does not jeopardize its continued growth.

A second consideration regarding the site has to do with its north-south orientation, meaning that its primary street frontage is on Stevens Ave, not on 26th street. As shown in Image #1 below, the 2600-block of Stevens Ave is a low-density residential street, with no structures that are more than 2.5 stories, and with a row of detached, two-story homes immediately to the

south of the proposed development site. Unfortunately, the applicants' project description makes no effort to address the suitability of their proposal with regard to existing structures and current land use on Stevens Ave, where the development will in fact have the greatest impact on its surroundings. Instead, it focuses exclusively on the site's relationship to 26th St., its secondary frontage, and to Nicollet Ave, two blocks to the east.



Image #1: A view of the 2600-block of Stevens Ave, looking south. The property line of the proposed development is immediately adjacent to the yellow house on the far right.

A third consideration not adequately addressed by the applicants has to do with the site's history. For the last ten years (not seven, as the description states) 26th and Stevens was the site of a superfund cleanup of toxic volatile organic compounds in its soil. In consequence, any development proposed for the site at any point during the last decade would have had to accommodate an environmental cleanup that was still ongoing. As of this July, however, the cleanup been completed and the collected toxins have been moved offsite, meaning that the conditions for developing the property have substantially changed. As a result, while section 3.5.10 of the comprehensive plan calls for the city to "support the timely development of infill housing on vacant lots," this property should not be considered a vacant lot that has struggled to find a developer over an extended period of time. It is, instead, a site that has only recently (within the last three months) become available for development in its present condition.

Response to the Findings for Conditional Use Permit for Increased Height:

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.*

While the applicants find that their proposal will not endanger the public's health, safety, or general welfare, **we have serious safety concerns about the increase in alley traffic that will**

be caused by this development, and seriously exacerbated by the request to add an additional fifth story to the building (thereby increasing the total number of residential units and, consequently, traffic). Specifically, the current proposal calls for only a one-lane entrance from Stevens Ave to the back surface parking lot, with a second one-lane entrance to the parking lot from the alley to the west. This narrow access, combined with the fact that 26th St. has one-way traffic, virtually guarantees that 40+ cars will routinely enter or exit the parking lot not from the street but from the one-lane alley, which currently serves low-density residential housing and is simply not equipped to handle so much traffic. This presents a danger not only to residents of properties along the alley itself (which currently house multiple families with children), but also to car traffic entering the alley from 26th St.

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

As already stated in the above Description of the Site, the 2600 block of Stevens Ave is a quiet residential street consisting of low-density housing, with no buildings higher than 2.5 stories. The same is true of the properties on the 2600 block of 1st Ave, which share the same alley (see figure #2). Particularly for those properties situated on 1st Ave immediately behind the development site (including two single-family houses at 2615 and 2617 1st Ave, and a restored 19th-century residential building at 2621-2623 1st Ave), **the current design represents a serious infringement of privacy, as several dozen new units will have direct lines of sight into the back bedroom windows of these residences.** The addition of a fifth story to the development intensifies these concerns, not only because of the increased number of units but also because these units' higher vantage point will make mitigation with trees and other barriers ineffective.



Image #2: A view of the 2600-block of 1st Ave, facing southeast. The low-density private residences pictured here are immediately behind the proposed development, and dozens of its units will have direct lines of site into their back bedrooms.

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

As already discussed in item 1, we believe the current street access from Stevens Ave to the surface parking lot is inadequate for the size of the parking lot, and will cause a dangerous volume of traffic to pass through the alley.

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

Please see above comments for items 1 & 3.

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

The land use policies cited by the applicants to justify additional height and an additional 5th story are policies that primarily address the goal of increasing high-density housing on commercial corridors (land use policies 1.5, 1.8, 1.10.4 & 1.10.5). But the proposed development is **not situated on a commercial corridor**. Instead, it faces a quiet street **two blocks to the east** of a commercial corridor, on a site bordering low density housing on three sides and **immediately adjacent to multiple single-family detached houses**. Moreover, as the applicants themselves point out, the 2600 block of Stevens is designated as an Urban Neighborhood. According to the comprehensive plan, density in such neighborhoods “vary, but consist predominantly of low density (8-20 du/acre), and are not intended to accommodate significant new growth or density.”

With this in mind, we refer back to two other policies from the comprehensive plan cited in the application:

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

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

We challenge the applicants to justify as an “appropriate transition” the placement of a 5-story building, with a 61’ parapet at its south edge, immediately next to a cluster of single-family homes on a low-density residential street. If the development in question were on a much smaller lot, primarily situated on 26th street rather than Stevens, a building of the proposed height and density might well be considered appropriate. But **we are unaware of any comparable instance, anywhere in the city, in which a building of these dimensions would be considered an “appropriate transition” to a row of detached houses on a street that is not a commercial corridor.**

Additional factors to be considered: (3) the scale and character of surrounding uses:

Please note that the MCAD building referred to in the application is only four stories tall, not five as indicated by the applicants. Additionally, the 7-story building referred to on 26th street has a tiny footprint, and is set far back from the street and from neighboring properties in all directions. It is not of comparable character to the proposed development.

Response to the Variance for Floor Area Ratio Required 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 applicants' claim for practical difficulties is based on two points: 1) the high cost of building underground parking at the site due to soil contamination, and 2) a desire to comply with the city's goal of building higher density housing along commercial corridors. With regard to parking, we simply note that because the proposed development is on a transit corridor, **the applicants face no requirement to provide the currently planned number of parking spaces.** In fact, according to the applicants' own presentation at the Whittier Alliance Community Issues Meeting of August 10th (as recorded in the official minutes), **the city requested that they significantly reduce the currently planned number of parking spots.** Even if the applicants continue to resist this suggestion, we note that a smaller building, with a FAR conforming with zoning and with 4 rather than 5 stories, would have proportionally much more space for surface parking on a per unit basis, thereby alleviating the need for either underground or enclosed parking. It would also keep the design closer in scale to surrounding construction, and address neighborhood safety concerns regarding traffic in the alley.

With regard to the objective of building higher density housing along commercial corridors, we note that increased housing density, while a laudable goal, cannot serve in itself as a justification to disregard zoning—particularly at a site that is not on a commercial corridor, and in the face of strong neighborhood opposition. Moreover, **in this case neither the increased FAR nor an additional fifth story are necessary to fulfill the goal of greater housing density,** since a mixed-use, 4-story building with a FAR conforming with local zoning would already rank among the largest and highest-density residential buildings anywhere in Whittier.

With all of this in mind, it is difficult to avoid the conclusion that the applicants are attempting to build a structure larger and taller than zoning allows for reasons that are, in reality, purely economic, while using the goal of increased density, as well as the site's past history of soil contamination, as *ex post facto* justifications. This motivation was in fact stated clearly by the applicants at the August 10th CI meeting, in which (again according to the official minutes of this meeting) they insisted that "taking 7000 square feet off the building would be a huge problem for financials, particularly with current property taxes."

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 applicants' claim that "variations in color, building materials and roof height mitigate the perception of mass from the pedestrian realm" is not credible. From Stevens, the face of the building that will have the greatest impact on its surroundings, the only variations in roof height are the two parapets, which make the building *higher* and *more massive* than it otherwise would be, not less so. The variations in color and building materials are also minimal by the standards of recent construction throughout the city, and are out of character compared to surrounding structures.

We have already expressed elsewhere our disagreement with the claim that an increased FAR is "consistent with the city's land use guidance for high density development in this area," but we wish to reiterate here that that the city's guidance for high density housing refers to construction on commercial corridors, which this site is not. Nor are the two existing nearby buildings cited in the application comparable structures, as the applicants suggest they are. The first of these is a building that is situated directly on the Nicollet Corridor and surrounded exclusively by properties zoned C3A or R5, not two blocks away on a residential street. The second is the main building of the Minneapolis College of Art And Design, which occupies its own dedicated 2-city block residential campus, and is set back more than a hundred feet from the street in most directions.

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

As already stated, the current proposal would create the largest and most massive residential structure anywhere in Whittier, on a site bordering low-density residential properties on three sides. A pioneering structure of this kind might be appropriate for Nicollet Ave itself, Lake St., or the area along the Greenway, but not for a quiet residential street such as Stevens Ave.

Concluding Remarks:

Despite our many objections to this proposal in its current form, we do not want to leave the impression of being categorically opposed to a multi-story mixed-use development for the corner of 26th Street and Stevens. On the contrary, as long-time residents who have spent years dealing with the noise, nuisance, and health hazards of living next to a superfund cleanup site, we have long looked forward to the day when this property would finally be ready for development.

As such, there are any number of possible accommodations that would address our concerns without undermining the viability of a mixed-use development on this site. For example, a

design with five stories on the side facing 26th Street, but that gradually descended from four stories to three stories on the Stevens Ave side, would present a convincing transition from the high-density of the Nicollet activity center to the low density of Stevens, and would also add architectural interest to the design of the building. Both of these effects could be magnified with setbacks and terraces on the top floor. Similarly, a significantly wider street cut and parking access on Stevens Ave, capable of easily accommodating two lanes of traffic, would go a long way towards addressing neighborhood concerns about congestion in our shared alley.

To conclude, chapter 3.2.2 of the city's comprehensive plan directs developers to "engage in dialogue with communities about appropriate locations for housing density, and ways to make new development compatible with existing structures and uses." Unfortunately, such dialogue has so far been inadequate. To our collective surprise, at no point were any of the property owners on the immediate perimeter of this development site ever contacted by the applicants to discuss our perspectives. After some of us subsequently expressed concerns about the project's scale and design at the Whittier Community Issues meeting in July, where it was first presented to the public, the applicants responded by *adding* six more units to their design. After we then circulated a petition expressing similar concerns, they added several thousand additional feet to the floor plan. And at the second CI meeting in August, where neighbors again expressed concerns about the design and scale of the project, the applicants' response was that we should "speak at the planning meeting."

In the hopes that this suggestion was made in good faith, we now appeal to the planning commission to help us in making sure that our concerns about this project are finally heard, as a first step in finding a new design for this site that serves the interest of both the applicants and the neighborhood as a whole.

Signed,

Giancarlo Casale, 2615 1st Ave (co-owner/resident since 2006)

Sinem Arcak, 2615 1st Ave (co-owner/resident since 2006)

Michael Garrity, 2615 Stevens Ave (owner/resident since 1980)

Brian Jon Foster, 2626 Stevens Ave (owner/resident since 1989)

Jim Riley, 2617 1st Ave (owner/resident since 1994)

Bob Zehrer, 2621-23 1st Ave (co-owner since 1987)

Nguyen Huynh, 2621-23 1st Ave (co-owner since 1987)

Dave La Violette, 2721 Stevens Ave, apts. #1 & #3 (resident since 1986)