

**LAND USE APPLICATION SUMMARY**

*Property Location:* 117 27<sup>th</sup> Avenue Southeast and on adjacent unplatted, formerly railroad land (2512 Essex Street Southeast and a portion of 1710 Franklin Avenue Southeast)

*Project Name:* Apartment Building

*Prepared By:* Aaron Hanauer, Senior City Planner, (612) 673-2494

*Applicant:* Elsey Partners, LLC

*Project Contact:* Bryan Elsey

*Request:* Apartment Building

*Required Applications:*

<b>Rezoning</b>	Petition for a rezoning from the I1 to the R5 zoning district and to remove the IL/Industrial Living Overlay District for unplatted railroad land (2512 Essex Street Southeast and a portion of 1710 Franklin Avenue Southeast)
<b>Conditional Use Permit for a Planned Unit Development</b>	To allow a Planned Unit Development (PUD) with 195 dwelling units in the R5/Multiple Family District and the UA/University Area Overlay District.
<b>Variance</b>	To reduce the established front yard setback requirement to 15 feet for the building, 5 feet for mechanical equipment, and 0 feet for the plaza.
<b>Variance</b>	To increase the amount of impervious surface allowed on the site from 85 percent to 86 percent.
<b>Site Plan Review</b>	For a six-story apartment building with 195 residential units and 450 bedrooms.
<b>Preliminary and Final Plat</b>	Preliminary and final plat

**SITE DATA**

<b>Existing Zoning</b>	I1/ Light Industrial District('99) R5/ Multiple Family District('99) IL/ Industrial Living Overlay District('99) UA/ UA University Area Overlay District
<b>Lot Area</b>	88,452 square feet / 2.03 acres
<b>Ward(s)</b>	2
<b>Neighborhood(s)</b>	Prospect Park
<b>Designated Future Land Use</b>	Urban Neighborhood and Transitional Industrial
<b>Land Use Features</b>	Growth Center (University of Minnesota)
<b>Small Area Plan(s)</b>	<u>Stadium Village University Avenue Station Area Plan (2012)</u> <u>Bicycle Master Plan (2011)</u>

<b>Date Application Deemed Complete</b>	December 7, 2015	<b>Date Extension Letter Sent</b>	December 18, 2015
<b>End of 60-Day Decision Period</b>	February 5, 2016	<b>End of 120-Day Decision Period</b>	April 5, 2016

## BACKGROUND

**SITE DESCRIPTION AND PRESENT USE.** The project site is located a block to the east of Huron Avenue, a block north of Interstate 94 and two blocks to the south of University Avenue Southeast. It includes a platted lot and a portion of a vacated Soo Line Railroad rail spur. The Smith-Sharpe Fire Brick Supply Company building built in 1903 is located at 117 27<sup>th</sup> Avenue Southeast. In addition to the building, there is an unmarked surface parking area located at the southern and western end of the site.

**SURROUNDING PROPERTIES AND NEIGHBORHOOD.** The project site is located near the University of Minnesota East Bank campus, an identified Growth Center, two blocks to the south of the University Avenue Commercial Corridor, and two blocks south of the Stadium Village Activity Center.

The zoning of the parcels on the west side of 27<sup>th</sup> Avenue Southeast are predominantly zoned high density residential (R5 or R6) and industrial (I1 or I2). All of the industrial zoned lots in this area include the Industrial Living Overlay District. The east side of 27<sup>th</sup> Avenue within the area is primarily zoned R4/Multiple-Family.

The adjacent properties include a few smaller multiple family developments to the north, the Glendale Townhome development to the east, and University Commons to the west. Within the last five years there have been at least three major residential development projects built within a quarter mile of the project site and three other developments approved by the City Planning Commission but construction has not been completed.

**PROJECT DESCRIPTION.** The applicants are proposing to tear down the existing building and build a six-story, multifamily building with 195 residential units, 450 beds and 140 underground parking stalls. The building would be built in two phases; however the intent is to start Phase II right after the completion of Phase I. The project also includes an outdoor plaza and a bike walking path at the rear of the building that would help provide a diagonal connection with 27<sup>th</sup> Avenue Southeast and Essex Street Southeast.

**COW REVIEWS:** The project was informally reviewed by the City Planning Commission at two Committee of the Whole meetings. The applicant has incorporated feedback from these meetings including exterior material changes, alternating floor heights of the building, adding additional projecting balconies, and adding a pedestrian/bike path at the back of the building.

**RELATED APPROVALS.** There are no previous land use files for the development site.

**PUBLIC COMMENTS.** The Prospect Park Association wrote a letter of support for the project. Any additional correspondence received after the publication of the staff report and prior to the public meeting would be forwarded on to the Planning Commission for consideration.

## ANALYSIS

### REZONING

The Department of Community Planning and Economic Development has analyzed the application for a petition to rezone the unplatted railroad land at 2512 Essex Street Southeast and a portion of 1710

Franklin Avenue Southeast from I1 to R5 and to remove the IL/Industrial Living Overlay District based on the following findings:

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

The rezoning would be consistent with the applicable policies of The Minneapolis Plan for Sustainable Growth. The site is located just south of the Stadium Village Activity Center and the Prospect Park LRT Transit Station Area. Generally, the Minneapolis comprehensive plan is supportive of zoning districts like the R5/Multiple-Family near these future land use features to increase the population of these areas.

The project site has two future land uses: Urban Neighborhood and Transitional Industrial. The Urban Neighborhood land use is supportive of residential zoning with a range of densities based on the surrounding context. Transitional Industrial areas are located outside of the boundaries of Industrial Employment Districts and are recognized as areas that evolve to other uses compatible with surrounding development. A rezoning of the subject property to R5 would be compatible with the surrounding multiple family zoning districts and multiple family uses.

According to the principles and policies outlined in The Minneapolis Plan for Sustainable Growth, the following apply to this proposal:

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

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

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

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

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

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

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

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

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

- 3.2.1 Encourage and support housing development along commercial and community corridors, and in and near growth centers, activity centers, retail centers, transit station areas, and neighborhood commercial nodes.

The amendment is also consistent with the *Stadium Village University Avenue Station Area Plan (2012)*. It is within the 27<sup>th</sup> Avenue Open Space District. This plan provides limited land use guidance for the 27<sup>th</sup> Avenue Open Space District. However, it recognizes that “numerous potential redevelopment opportunity sites defined in the district along 27<sup>th</sup> Avenue” exist, which is the case with the project site.

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

The amendment is in the public interest and not solely for the interest of a single property owner. Allowing for the rezoning would allow the applicant to construct a high-density residential development on the site. As outlined in the finding above, policies within *The Minneapolis Plan for Sustainable Growth* support constructing high-density housing in this area.

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

The existing uses of property within the general area are compatible with the rezoning classification as most of the adjacent uses are multiple-family residential. The nearby daycare facility and hotel (501 Huron Boulevard Southeast and 2510 Essex Street Southeast) are also compatible with the proposed residential development.

The zoning classification of property within the general area is also compatible with the proposed zoning classification. The parcels to the north, northeast and east are zoned multiple family residential (R4 and R5). Even though parcels to the west of the project site are zoned II/Light Industrial, these zoning districts include the Industrial Living Overlay District.

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

There are reasonable uses of the property in question permitted under the existing II zoning classification; however the project site with split zoning (R5 and II) is not able to be developed without the rezoning request. As outlined in Section 535.210-Lots Containing Two or More Zoning Classifications, when lots are combined shall not result in more than one (I) primary zoning classification on a single zoning lot, except as allowed by the TP Transitional Parking Overlay District.

5. *Whether there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its present zoning classification, where the amendment is to change the zoning classification of particular property.*

There has been a change in the character in the general area from industrial to multiple-family residential. Within the last five years, there have been at least four, high-density, multiple-family developments either built or approved within a quarter mile of the project site. This includes: Solhaus apartment building (six stories) at 2428 Delaware Street Southeast, Solhaus Tower (six stories) at 515 Huron Boulevard Southeast, WaHu Student Apartments (10 stories) at 1000 Washington Avenue Southeast, and the Brickhouse Lofts at 150 26<sup>th</sup> Avenue Southeast (approved by the CPC in April 2015). The rezoning and development would be consistent with the trend of development in the surrounding area.

## CONDITIONAL USE PERMIT - PLANNED UNIT DEVELOPMENT

The Department of Community Planning and Economic Development has analyzed the application to allow a planned unit development with 195 dwelling units in the R5/Multiple Family District and the UA/University Area Overlay District based on the following findings:

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

The establishment of a planned unit development with 195 dwelling units should not prove detrimental to public health, comfort, or general welfare provided the development complies with all applicable building codes and life safety ordinances as well as Public Works Department standards.

The site is located near the Stadium Village Activity Center, Transit Station Area and near the University of Minnesota Growth Center. There are adopted policies in the Minneapolis comprehensive plan that support having high to very-high density residential development in or near these future land use features. In addition, there are other high-density residential developments in the immediate area.

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

The project would not be injurious to the use and enjoyment of other property in the vicinity. The surrounding area is nearly fully developed with multiple family residential developments to the east, west, and north. A proposed hotel development to the northwest of the subject property was approved earlier this year. The proposed residential use on the project site would be more compatible with the surrounding area than the existing/previous industrial use.

There is a surface parking lot to the north of the project site (2610 Essex Street Southeast). The proposed development would not adversely impact the redevelopment of this surface parking lot nor the existing development in the area.

The building length is larger than most development in the area. However, the scale and massing of the proposed development is compatible with the surrounding development. In addition, the articulation, placement, and varying floor heights of the different sections helps break up the massing and gives the appearance of several buildings.

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

Adequate utilities and drainage would be provided as part of the project. The applicant received initial City of Minneapolis department comments (including Public Works) at a preliminary development review meeting on October 29, 2015. The development team will be required to continue to work closely with Public Works, Construction Code Services, Land Use, Design and Preservation staff and the various utility companies during the duration of the development should the applications be approved to meet these requirements. This would be required to ensure that all procedures are followed and that the development complies with all City and other applicable requirements. Adequate access roads are also provided. Vehicles are proposed to enter and exit the site via one curb cut on 27<sup>th</sup> Avenue Southeast. This configuration received initial Public Works support.

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

The vehicle parking requirement for residential uses in the UA/University Area Overlay District is 0.5 spaces per bedroom. The proposed project includes 195 dwelling units and 450 bedrooms. Therefore, the minimum vehicle parking requirement is 225 spaces. The applicant is proposing 140 vehicle off-street parking spaces, which equates to 0.31 spaces per bedroom.

Although the project is requesting a parking reduction as a PUD alternative, adequate measures would be taken to minimize traffic congestion in the public streets. The applicant is proposing the following measures to help minimize traffic congestion in the public streets:

- Comply with the required bike parking of one space per bedroom and having at least 90 percent of the bike parking spaces meeting the long term bike parking standards. The development will have 450 bicycle parking spaces with 405 of the bike parking spaces inside the building.
- Construct a bike/walk path behind the building that is part of the Prospect Park Trail; a trail called out by the Minneapolis Bicycle Master Plan and the Stadium Village Master Plan. West of 27<sup>th</sup> Avenue Southeast, the proposed bike/walk starts on the project site and will have a through-connection to Essex Street Southeast via the new hotel development site at 501 Huron Boulevard/2510 Essex Street Southeast (BZZ-7219). This path would reduce the distance residents and others in the area would have to travel to and from the University of Minnesota.
- Install a bike room on the main floor that would allow for easy onsite bicycle repair.
- Install an electronic kiosk in the building common space with a trip planning application and alternative forms of transportation.

In addition, the project location would be able to take advantage of numerous alternative modes of transportation. This includes:

- Metro Transit light rail and bus service. The Prospect Park Light Rail Transit (LRT) station is approximately four blocks away and there are Metro Transit bus routes with stops within three blocks. According to the Stadium Village Master Plan, bus ridership is very high in this area due to frequent service on multiple routes and the availability of the U-pass, a discounted bus pass available to University students.
- Car sharing. In addition to Car2Go access, the project site is within three blocks of four permanent car-sharing locations.
- Bicycle facilities: There are two Nice Ride stations within two blocks of the project site. In addition, there are bike lanes and paths that run along the major corridors of University Avenue SE, 4th Street SE and 27th Avenue SE. Furthermore, on-campus routes provide bicycle access through the University of Minnesota Campus.

It should also be noted that students that live within the proposed building would have the opportunity to lease an off-street parking space within three blocks of the project site through the University of Minnesota.

As outlined in Section 541.330-Size, a maximum of 25 percent of the required parking spaces are allowed to be compact spaces. Currently, the applicant is proposing that all non-accessible parking spaces be compact spaces. Given that all drive aisles will meet the minimum width requirement of 22 feet and that compact vehicle use is on the rise, there are opportunities to not only reduce required stall sizes, but to also allow for more compact parking spaces. Supporting the use of small vehicles and subsequently allowing more compact stalls is one of the ways to reduce the amount of impervious surfaces associated with the project and increase green space. Even with these considerations, it is important to provide standard size parking stalls. Therefore, as a condition of approval, the applicant shall provide a minimum of 35 parking spaces (25 percent of proposed parking) that meet the minimum dimensions for standard spaces. In addition, all parking areas shall be marked as required by Section 541.320-Marking of Spaces and the compact parking stalls shall be labeled as required by Section 541.330-Size.

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

Granting the conditional use permit for a planned unit development that would allow a 195-unit, 450-bedroom development near an activity center and transit station area would be consistent with the land use and housing policies listed in Finding 5 of the rezoning application above (Land Use Policy 1.8, 1.13 and 1.15, and Housing Policy 3.1, and 3.2). In addition, approval of the conditional

use would be consistent with the following land use, housing and urban design policies outlined in *The Minneapolis Plan for Sustainable Growth*:

**Land Use Policy 1.1: Establish land use regulations to achieve the highest possible development standards, enhance the environment, protect public health, support a vital mix of land uses, and promote flexible approaches to carry out the comprehensive plan.**

- 1.1.3 Encourage the use of flexible regulatory options that promote high quality development, such as the Planned Unit Development (PUD) tool.
- 1.1.4 Support context-sensitive regulations for development and land use, such as overlay districts, in order to promote additional land use objectives.
- 1.1.5 Ensure that land use regulations continue to promote development that is compatible with nearby properties, neighborhood character, and natural features; minimizes pedestrian and vehicular conflict; promotes street life and activity; reinforces public spaces; and visually enhances development.

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

- 1.3.1 Require safe, convenient, and direct pedestrian connections between principal building entrances and the public right-of-way in all new development and, where practical, in conjunction with renovation and expansion of existing buildings.
- 1.3.2 Ensure the provision of high quality transit, bicycle, and pedestrian access to and within designated land use features.

**Housing Policy 3.6: Foster complete communities by preserving and increasing high quality housing opportunities suitable for all ages and household types.**

- 3.6.2 Promote housing development in all communities that meets the needs of households of different sizes and income levels.

**Urban Design Policy 10.6: New multi-family development or renovation should be designed in terms of traditional urban building form with pedestrian scale design features at the street level.**

- 10.6.1 Design buildings to fulfill light, privacy, and view requirements for the subject building as well as for adjacent properties by building within required setbacks.
- 10.6.3 Provide appropriate physical transition and separation using green space, setbacks or orientation, stepped down height, or ornamental fencing to improve the compatibility between higher density and lower density residential uses.
- 10.6.4 Orient buildings and building entrances to the street with pedestrian amenities like wider sidewalks and green spaces.
- 10.6.5 Street-level building walls should include an adequate distribution of windows and architectural features in order to create visual interest at the pedestrian level.
- 10.6.6 Integrate transit facilities and bicycle parking amenities into the site design.

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

If the requested land use applications are approved, the proposal would comply with all provisions of the R5/Multiple Family District and the UA/University Area Overlay District.

Findings Required for Planned Unit Developments:

- A. The planned unit development conforms to the applicable standards for alternatives and amenities. All planned unit developments shall provide at least one amenity or a combination of amenities that total at least 10 points, beyond those required for any alternatives. For each alternative requested, amenities shall total at least five points.

**Alternatives requested:**

**Number of principal residential structures.**

No alternative requested. When Phase I and Phase II are completed the project will be one building.

**Bulk regulations, floor area ratio (FAR).**

Alternative requested. The base FAR in the R5 District is 2.0. Since all parking will be enclosed the project qualifies for a 20 percent FAR bonus. Therefore, the allowed FAR is 2.4. In addition, the applicant is requesting an additional 20 percent bonus as an alternative to the PUD. With a successful acceptance of the alternatives, the maximum FAR for the project is 2.8. The project would have a FAR of 2.5 (220,560 square feet of floor area on an 88,452 square foot lot).

**Bulk regulations, building height.**

Alternative requested. The R5 zoning district allows a building to be four stories in height not to exceed 56 feet. The applicant is proposing a six story building that would be 64.5 feet in height.

In addition to the conditional use permit standards, the Planning Commission shall consider, but not be limited to, the following factors when determining the maximum height:

*1. Access to light and air of surrounding properties.*

Allowing the building two additional stories and 9.5 feet of greater height would not have an effect on the access to light and air of surrounding properties. The building would be meeting its minimum side yard setback requirements of 15 feet and would be located at least 40 feet from the nearest commercial building (University KinderCare at 525 Huron Boulevard Southeast) and at least 70 feet away from a building with residential units (University Commons at 609 Huron Boulevard Southeast).

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

Allowing the building the additional stories and height would not have an adverse impact on the shadowing of residential properties. As previously mentioned, the proposed building would be more than 70 feet from the nearest residential building (University Commons); this distance substantially reduces the shadowing impact on residential buildings. The submitted shadow studies show that the only impact on residential buildings would be in the mornings. If the development was required to stay within the zoning district requirements of four stories or 56 feet in height, the development would have a similar shadowing impact on University Commons.

The proposed development would not impact light access of a significant public space (e.g. park or plaza). The nearest public space, Luxton Park to the southeast of the project site, is located more than 200 feet away. In addition, the development would not impact light access of a nearby solar energy system. The nearest solar array is at 114 Arthur Avenue SE, which is approximately 740 feet away 0.14 (BIRE 3045241).

*3. The scale and character of surrounding uses.*

The proposed development would fit in with the scale and character of the new taller development that is encouraged by the small area plan. Neighboring buildings include the six-story, 74 foot-tall

Solhaus Tower (515 Huron Boulevard SE), the 10-story Stadium View apartment building (2508 Delaware Street Southeast), and the six-story Solhaus apartment building (2428 Delaware Street SE) located to the northwest. The building would be taller than the smaller multiple family residential development to the north, but those buildings are older and anticipated/encouraged for redevelopment by the University's master plan and the Stadium Village Small Area Plan.

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

The project would not have an impact of views of the nearest landmark building (Fire Station #19 to the northwest at University Avenue and Oak Street), significant open spaces (Luxton Park to the southeast), nor the nearest water body (Mississippi River to the southeast).

**Lot area requirements.**

No alternative requested.

**Required yards.**

No alternative requested. However, a variance application to reduce the front yard setback has been submitted.

**Building placement in PO Pedestrian Oriented Overlay District.**

Not applicable

**On-premise signs.**

No alternative requested.

**Off-street parking and loading.**

An alternative has been requested to reduce the minimum number of off-street parking spaces from 0.5 spaces per bedroom (225 off-street vehicle spaces) to 0.31 spaces per bedroom (140 off-street vehicle spaces). As outlined in Finding 3 above, the location of the project site and proposals by the applicant to encourage alternative modes of transportation would minimize traffic congestion in the public streets.

**Points required for alternatives:**

- Establishment of the PUD – **10 points.**
- Bulk regulations, FAR – **5 points.**
- Bulk regulations, Height – **5 points.**
- Off-street parking – **0 points.**

Total = 20 points.

**Phasing plan.**

Although the documents show a two-phased development, the applicant states in their PUD narrative that their intent is to not stop construction of the project until fully completed.

Phase I (construction would begin in spring 2016 and be completed summer of 2017) includes the southern building segment, the entire underground parking structure, the private courtyard, public plaza, and enhanced landscaping. Phase II (construction would begin in spring 2017 and be completed summer of 2018) includes the northern building segment and pedestrian/bike trail, and the recycling/storage room.

Phase	Approval Date	Alternative	Amenity
Phase I	January 6, 2015	<ul style="list-style-type: none"> <li>• Bulk, Height</li> <li>• Parking</li> </ul>	<ul style="list-style-type: none"> <li>• Underground parking</li> <li>• Plaza</li> <li>• Enhanced landscaping</li> <li>• Recycling storage area</li> </ul>
Phase II	January 6, 2015	<ul style="list-style-type: none"> <li>• Bulk, FAR</li> </ul>	<ul style="list-style-type: none"> <li>• Pedestrian improvements</li> </ul>

**Amenities provided:**

The applicant is proposing the following amenities from Table 527-1, Amenities to meet the required points for authorized alternatives.:

**Plaza (5 points)** Points for this amenity are awarded when a minimum area equivalent to ten (10) percent of the site not occupied by buildings, but not less than two thousand (2,000) square feet comply with all provisions in Chapter 535, Regulations of General Applicability. The project site is 88,452 square feet and the proposed building has a footprint of 55,351 square feet. The remaining lot area is 33,101 square feet. Therefore, a plaza that is required to be 3,310 square feet is order to receive points. The project would have a plaza that is approximately 4,100 square feet (12 percent). The plaza would comply with the provisions of Chapter 535, Article XI-Plazas (see plaza review in site plan section below).

**Reflective roof (3 points)** Points for this amenity are awarded for a building that utilizes roofing materials for seventy-five (75) percent or more of the total roof surface having a Solar Reflectance Index (SRI) equal to or greater than the values as required by the US Green Building Council (USGBC) for low-sloped roofs.

As stated in the applicant’s PUD narrative, the roof would be covered with a white membrane that meets or exceeds the Solar Reflectance Index (SRI) required by the US Green Building Council.

**Enhanced exterior lighting (1 point)** Points for this amenity are awarded for a lighting plan that highlights significant areas of the site or architectural features of the building(s), subject to the standards of Chapter 535, Regulations of General Applicability.

The applicant is proposing to install enhanced lighting. This would include regularly spaced bollards or wall lights for lighting the bike path, low-wall lighting in the plazas along the pathway, lighting to highlight landscape features, as well as illumination of the eastern building façade through various lighting methods.

**Water feature (1 point)** Points for this amenity are awarded for providing a drinking fountain where it is highly visible to and useable by the public.

The applicant is proposing to install a drinking fountain near the rear building entrance along the bike path for public use.

**Enhanced landscaping (1 point)** Points for this amenity are awarded for a landscaping plan of exceptional design that has a variety of native tree, shrub, and plant types that provide seasonal interest and that exceed the requirements of Chapter 530, Site Plan Review. The landscaped areas shall have a resource efficient irrigation system. The landscaping plan shall be prepared by a licensed landscape architect.

The project would have an enhanced landscape plan of exceptional design with a focus on greening the front of the property along 27<sup>th</sup> Avenue Southeast. Native plantings include River Birch trees and Little Goldstar Rudbeckia perennials. The proposed plantings will provide seasonal interest with the varied bloom times. The landscaping plan would exceed the requirements of Chapter 530, Site Plan Review in terms of square footage of landscape area, as well as tree and shrub plantings. In addition, the applicant

is proposing a number of bee-friendly plantings that would support the Minneapolis City Council pollinator-friendly resolution.

**Recycling storage area (1 point)** Points for this amenity are awarded for provision of an easily accessible area that serves the entire building and is dedicated to the collection and storage of non-hazardous materials for recycling, including but not limited to paper, corrugated cardboard, glass, plastics and metals. The recycling storage area shall be located entirely below grade or entirely enclosed within the building.

A recycling storage area is proposed on the first floor at the far northern end of the building. To qualify for this point and to ensure that the recycling area is easily and conveniently accessed by all residents, CPED is recommending the applicant move the recycling storage area to a place that is near equal distance between the units at the northern and southern end of the building or add a second recycling storage area to provide an easily accessible area for all tenants.

**Amenities proposed by the applicant or others (8 points)**

*The city planning commission may consider other amenities not listed in Table 527-1, Amenities that are proportionally related to the alternative requested. The commission may assign one (1), three (3), five (5), or ten (10) points based on the proportionality.*

**Pedestrian/bike path (5 points)** The applicant has proposed to have a 10-foot wide pedestrian/bike path at the rear of the building that would connect 27th Avenue Southeast to Essex Street Southeast via an adjacent property to the northwest; 10 feet is the minimum width that Public Works recommends for a pedestrian/bike path. This path is the northern portion of the proposed Prospect Park Trail; a trail called out by the Minneapolis Bicycle Master Plan. If fully implemented, this trail would provide non-motorized route access from Essex Street to the Midtown Greenway. The landscaping and building design/placement would create a safe, clear, and aesthetically pleasing pedestrian/bike path. As a condition of approval, the pedestrian/bike path shall be maintained for year-round access (including snow and ice removal) and be open to the public. In addition, a lighting plan shall be submitted prior to building permit issuance to show that the trail will be adequately lighted and in compliance with Section 535.590-Lighting standards.

**Outdoor courtyard (3 points)** The applicant has proposed a second outdoor space to the north of the plaza that is approximately 3,800 square feet. This outdoor space is a more secluded area reserved for residents; however the landscaped areas will be well visible for those traveling along 27<sup>th</sup> Avenue. Even though this space is not intended to be a plaza and open to the public, the applicant is proposing to have a high-quality outdoor space for community gathering space that will meet the development standards for a plaza outlined in Section 535.810 (with the exception of access). In addition, the enhanced landscaping will help the small area plan’s objective for this area in terms of creating a green corridor along 27<sup>th</sup> Avenue, framing the edges of the roadway, strengthening connections to the adjacent neighborhoods, and improving the character of public realm with streetscape enhancements.

**Table I. Amenity Points Summary**

<b>Amenity</b>	<b>Points Requested by Applicant</b>	<b>Points Recommended by Staff</b>
<b>Plaza</b>	5 points	5 points
<b>Reflective roof</b>	3 points	3 points
<b>Enhanced exterior lighting</b>	1 point	1 point
<b>Water feature</b>	1 point	1 point

<b>Enhanced landscaping</b>	1 point	1 point
<b>Recycling storage area</b>	1 point	1 point
<b>Amenities proposed by the applicant-pedestrian/bike path</b>	5 points	5 points
<b>Amenities proposed by the applicant-outdoor courtyard</b>	3 points	3 points
<b>Total</b>	<b>20 points</b>	<b>20 points</b>

In addition, the project is proposing to have underground parking. However, as outlined in Section 527.120, in no case shall any item be counted as an amenity for an alternative if it is utilized to qualify for a density bonus, which is the case with the proposed development.

B. The planned unit development conforms to the required findings for a planned unit development:

1. *That the planned unit development complies with all of the requirements and the intent and purpose of this chapter. In making such determination, the following shall be given primary consideration:*

a) *The character of the uses in the proposed planned unit development, including in the case of residential uses, the variety of housing types and their relationship to other site elements and to surrounding development.*

The PUD would have a variety of housing types. As proposed it will have 8 studios, 34 one-bedrooms, 81 two-bedrooms, 42 three-bedrooms, and 30 four-bedrooms. In addition, the development was designed for the housing to have a relationship to other site elements and to surrounding development. This includes providing greenspace/landscape area along 27<sup>th</sup> Avenue Southeast, which is encouraged by the Stadium Village Small Area Plan, having residential units open up to the outdoor plaza to help activate the space, providing balconies on the front and back of the building to help with natural surveillance, and varying the building height to provide greater visual interest for those living nearby.

b) *The traffic generation characteristics of the proposed planned unit development in relation to street capacity, provision of vehicle access, parking and loading areas, pedestrian access, bicycle facilities and availability of transit alternatives.*

The use is not expected to contribute to traffic congestion in the public streets. The applicant is proposing less off-street parking than required by the University Area Overlay District, however, the development team has done a number of steps to encourage and promote alternative modes of transportation including: complying with the required number of bike parking spaces, constructing a bike/walk path behind the building that is called out by the Minneapolis Bicycle Master Plan, installing a bike room on the main floor that would allow for onsite bicycle repair, and installing an on-screen trip display that would display real time transit information. In addition, the project location will be able to take advantage of numerous alternative modes of transportation including Metro Transit light rail and bus service, car sharing, and other bicycle facilities (Nice Ride and dedicated bike lanes).

A Travel Demand Management Plan (TDMP) was submitted that evaluates traffic generated by the proposed use and potential for congestion in the adjacent public streets. Results of the operational analysis indicate that the study area roadways and intersections will continue to operate acceptably without improvements.

- c) *The site amenities of the proposed planned unit development, including the location and functions of open space, the preservation or restoration of the natural environment or historic features, sustainability and urban design.*

From Table 527-1 of the zoning code, site amenities proposed in this development include a plaza along 27<sup>th</sup> Avenue Southeast and a pedestrian/bike path along the rear portion of the building. The open spaces would be functional, designed to encourage active uses, and would be located in a manner that would make them visible for a large portion of the dwelling units within the development and from the public sidewalk.

The sustainability elements of the project include a commitment to encouraging alternative modes of transportation and a landscaping plan that is bee friendly. From an urban design element the project would also be a positive for the area with the building placement, large amount of glazing, active functions around the project site, and variations of building height to help break up the building.

- d) *The appearance and compatibility of individual buildings and parking areas in the proposed planned unit development to other site elements and to surrounding development, including but not limited to building scale and massing, microclimate effects of the development, and protection of views and corridors.*

The scale and massing of the building is compatible with other multifamily buildings in the immediate area and the adjacent hotel that is proposed to the northwest of the project site. Even though the proposed building is longer than buildings in the area, the applicant has effectively broken it up with the building siting and variations in height. It is not anticipated that the project would have an adverse impact on the microclimate. The project would also protect the rail corridor viewshed with the 15 foot building setback along the western property line.

- e) *An appropriate transition area shall be provided between the planned unit development and adjacent residential uses or residential zoning that considers landscaping, screening, access to light and air, building massing, and applicable policies of the comprehensive plan and adopted small area plans.*

There would be appropriate transitions between the PUD and the adjacent residential developments/residential zoning. The University Commons residential development is located to the west and there is residentially zoned property to the north. The proposed building would comply with the minimum 15 foot required side yard setbacks along for the entire project. This setback will help maintain access to light and air for existing and future residential development. In addition, the applicant is proposing to landscape along the perimeter of the project site. This landscaping would provide screening and a buffer between residential properties.

- f) *The relation of the proposed planned unit development to existing and proposed public facilities, including but not limited to provision for stormwater runoff and storage, and temporary and permanent erosion control.*

The Public Works Department reviewed how the project would impact public facilities, stormwater, and erosion control during the initial preliminary development review (see attached). The applicant would be required to work closely with the Public Works Department, the Plan Review Section of the Inspections Department and the various utility companies during the duration of the development should the plan be approved.

- g) *The consideration, where possible, of sustainable building practices during the construction phases and the use of deconstruction services and recycling of materials for the demolition phase.*

The development team is using sustainable building practices during the construction phases and the use of deconstruction services and recycling of materials for the demolition phase. The applicant states that they are allowing deconstruction/salvage/ scrap metal companies to take anything from the building before demo begins and the current property owner of 117 27<sup>th</sup> Avenue Southeast will be removing heavy timbers from the structure.

2. *That the planned unit development complies with all of the applicable requirements contained in Chapter 598, Land Subdivision Regulations.*

Please see the preliminary and final plat section of this staff report.

## VARIANCE

The Department of Community Planning and Economic Development has analyzed the application for a variance to reduce the established front yard setback requirement to 15 feet for the building, 5 feet for mechanical equipment, and 0 feet for the plaza based on the following findings:

1. *Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.*

The required front setback in the R5/Multiple Family District is 15 feet. Parcels in this residential district are also subject to the established front yard setback requirement outlined in provision 546.160 (b). A portion of the University Commons building at 609 Huron Boulevard Southeast is setback 50 feet from Essex Street Southeast. Therefore the front yard setback is an imaginary line between the University Commons residential building closest to 27<sup>th</sup> Avenue Southeast and the multiple family building at 133 27<sup>th</sup> Avenue Southeast to the north.

The applicant is proposing that the building along 27<sup>th</sup> Avenue Southeast be setback 15 feet from the front property line, mechanical equipment (utility boxes) be setback 5 feet from the front property line, and the plaza be built up to the front property line; the utility boxes and plaza are not permitted obstructions in the front yard setback.

Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The project site has a greater than typical front yard setback due to the neighboring University Commons residential development to the south being a through lot. Practical difficulties also exist with the subject property in terms of its triangular shape. The triangular shape creates unique conditions in terms of the placement of the building, mechanical equipment and the plaza.

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

The applicant is proposing to use the property in a reasonable manner that would be in keeping with the spirit and intent of the ordinance and the comprehensive plan. Yard controls are established to provide for orderly development and use of land and to minimize conflicts among land uses by regulating the dimensions and use of yard in order to provide adequate light, air, open space and separation of uses.

The placement of the building, mechanical equipment and plaza would be compatible with the placement of adjacent buildings. As previously mentioned, the applicant would be maintaining the 15 foot front yard setback for the proposed building. The mechanical equipment would be located five feet from the front property line; however, it is proposed to be well distanced from the property to the north (52 feet) and south (106 feet). Even though the plaza would be located up to the front property line, it is well landscaped to help provide a green transition to 27<sup>th</sup> Avenue Southeast.

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

Granting of the variance would not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. In addition, granting of the variance would not be detrimental to the health, safety, or welfare of the general public or those utilizing the property or nearby properties. The placement of the building closer to the front property line is consistent with other existing buildings along the western side of 27<sup>th</sup> Avenue Southeast. The placement of the plaza at the property line would help activate and green this portion of 27<sup>th</sup> Avenue Southeast which is encouraged by the *Stadium Village University Avenue Station Area Plan*. The placement of the utility boxes five feet from the property line is not ideal; however, the proposed landscape screening and installing an artistic wrap/paint on the utility box would minimize the visual impact from the public sidewalk and street.

## VARIANCE

The Department of Community Planning and Economic Development has analyzed the application for a variance to increase the amount of impervious surface allowed on the site from 85 percent to 86 percent, based on the following findings:

1. *Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.*

The maximum impervious surface allowance for a site in the R5/Multiple Family Residential District is 85 percent. The proposed amount of impervious surface is 86 percent. 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 unique shape of the lot and the absence of an alley create unique conditions in terms of building placement, vehicle access, and fire code requirements (i.e. access turn around requirements for emergency vehicles). The project site has two access points to the garage. The northern access point doubles as a fire access turn around. The driveway that leads to the fire access turn around area adds an additional 6,400 square feet of impervious surface to the site and increases the impervious surface from 80 percent to 86 percent.

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

The applicant is proposing to use the property in a reasonable manner that would be in keeping with the spirit and intent of the ordinance and the comprehensive plan. The intent of the impervious surface maximum is to help projects blend in better with surrounding residential character and to encourage onsite retention of stormwater.

The applicant has placed landscaping along the perimeter of the project site to help the project blend in better with surrounding residential development (existing and future). The combination of the landscape buffer and a proposed underground infiltration system helps the project meet City of Minneapolis storm water management requirements.

In addition, the proposal meets the spirit of the comprehensive plan. The applicant is proposing an extension of the Prospect Park Trail in the rear portion of the site, which is called out as a future trail in the Minneapolis Bicycle Master Plan (2011). This 10-foot wide trail adds 8,200 square feet of

impervious surface area and increases the impervious surface from 79 percent to 86 percent. However, when built, it would promote alternative modes of transportation within the area.

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

Granting of the variance would not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. In addition, granting of the variance would not be detrimental to the health, safety, or welfare of the general public or those utilizing the property or nearby properties. The applicant's proposal only exceeds the maximum impervious allowance by 1 percent (1,280 square feet). The proposed landscaping along most of the perimeter of the project site would help reduce the amount of stormwater leaving the site.

## SITE PLAN REVIEW

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

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

#### **BUILDING PLACEMENT AND DESIGN**

##### **Building placement – Meets requirements**

- The proposed placement of the building along 27<sup>th</sup> Avenue Southeast reinforces the street wall; portions of the building would be located up to front yard setback requirement (15 feet). The building placement would also maximize natural surveillance and visibility with fenestration levels that exceed zoning code requirements. Finally, the building placement and other site features would facilitate pedestrian access and circulation. Building entrances would face 27<sup>th</sup> Avenue Southeast and all building entrances would have protected walkways or delineated treatments (e.g. change in surfacing material) leading from building doors to the public sidewalk or pedestrian pathway at the back of the building.
- The project is subject to an established front yard setback and requires a front yard setback variance since the building would be located in front of the established front yard setback.
- The area between the building and the front lot line would include amenities including a plaza, interior courtyard, and enhanced landscaping.
- Onsite accessory parking would be located within the principal building.

##### **Principal entrances – Meets requirements**

- The building is oriented to have the principal entrance face 27<sup>th</sup> Avenue Southeast.
- The principal entrance is clearly defined and emphasized through the use of large amount of glazing and a stairway that leads directly from 27<sup>th</sup> Avenue to the building entrance.

##### **Visual interest – Requires alternative compliance**

- Building walls would provide some architectural detail to provide visual interest including breaking up the large building into separate modules through building placement and changing of materials, having varying floor heights for different modules, including balconies that are at least five feet in depth on the front and back of the building. However, given the height, size and length of the building additional details should be provided to further the visual interest of the building. Alternative compliance is required.

- Alternative compliance is required.
- There are blank, uninterrupted walls exceeding 25 feet in length on the 1<sup>st</sup> floor of the north elevation and the portions of the sixth floor (mezzanine level). Alternative compliance is required.

**Exterior materials – Meets requirements**

- The proposed exterior materials are durable. The applicant is proposing three exterior materials excluding windows/glazing: brick, fiber cement panels that are a minimum of 5/8 inches thick, and fiber cement panels that are less than 5/8 inches thick.
- The exterior materials comply with the percentages of allowed durable materials per elevation as specified by the [Guide to Exterior Building Walls and Materials](#) (see Table 1).
- The exterior materials and appearance of the rear and side walls of any building would be similar to and compatible with the front of the building. The rear and side walls have a similar percentage of exterior materials as the front elevation (east). The applicant has also provided projecting balconies on the sides and rear elevations in a similar fashion to the front elevation.
- The project does not include plain face concrete block as an exterior material.

**Table 2. Percentage of Exterior Materials per Elevation**

Material	Allowed max %	Northeast	East	North	West
Brick (face and panel)	75%	15.3%	33.6%	61.3%	44.4%
Fiber cement panels - A minimum of 5/8 thick	75%	50.1%	19.6%	23.2%	25.6%
Fiber cement panels - Less than 5/8 inch thick	75%	9.1%	8.6%	N/A	5.9%
Glass/windows	100%	25.4%	38.2%	15.5%	24.1%

**Windows – Meets requirements**

- The building contains windows as required by this section in order to create visual interest and to increase the security of adjacent outdoor spaces by maximizing natural surveillance and visibility. Twenty (20) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or onsite parking lot, shall be windows. The east elevation is the only portion of the building that is subject to meet this requirement; as proposed it would meet the window percentage requirement (see Table 2). These windows would also meet the design requirements as they are vertical in proportion and are distributed in a more or less even manner.

**Table 3. Percentage of Windows Required for Elevations Facing a Public Street, Sidewalk, Pathway, or Onsite Parking**

	Code Requirement		Proposed	
<b>Residential Uses</b>				
1st Floor	20% minimum	635 sq. ft.	34%	1,068 sq. ft.
2nd -5 <sup>th</sup> Floors	10% minimum	397 sq. ft.	23%	917 sq. ft.

6 <sup>th</sup> Floor	10% minimum	207 sq. ft.	21%	440 sq. ft.
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**Ground floor active functions – Meets requirements**

- The entire first floor is designed to accommodate active functions. No portion of the first floor would have parking, loading, storage, or mechanical equipment rooms facing a public street.

**Roof line – Meets requirements**

- The project would have a flat roof which is common of surrounding buildings.

**Parking garages – Meets requirements**

- The project includes a parking garage in the lowest level. Most of the parking garage is below grade. Therefore, sloped floors would not dominate the appearance of the walls and the vehicles would be screened from view.

**ACCESS AND CIRCULATION**

**Pedestrian access – Meets requirements with Conditions of Approval**

- Clear and well-lighted walkways would connect building entrances to the adjacent public sidewalk and to any parking facilities located on the site. Such walkways shall be a minimum of four (4) feet in width. The main entrance would be connected with the public sidewalk via a hardscaped plaza. A walkway along the northern elevation would be shared space with the driveway, but delineated with a concrete material.

**Transit access – Not applicable**

- There are no transit shelters in front of the subject property.

**Vehicular access – Meets requirements**

- Vehicular access and circulation are designed to minimize conflicts with pedestrian traffic and with surrounding residential uses. Pedestrians would have protected walking areas and/or specially delineated surface material. The proposed project would also reduce the number of curb cuts on the project site from three to one.
- The project does not have alley access.
- Access for service vehicles is provided which does not conflict with pedestrian traffic. Service vehicles would enter the project site at the same access point as resident vehicle traffic.
- Even though the project exceeds their impervious surface calculation by one percent, the applicant has minimized the use of impervious surfaces. The combination of a bike/pedestrian path at the rear of the building and a second driveway area to meet fire access turn around requirements puts the project over the impervious surface allowance.

**LANDSCAPING AND SCREENING**

**General landscaping and screening – Meets requirements with Conditions of Approval**

- The composition and location of landscaped areas would complement the scale of development and surroundings. The project would include an enhanced landscaping area/plaza along 27<sup>th</sup> Avenue Southeast, which is encouraged by the *Stadium Village University Avenue Station Area Plan*. The project would also have landscaping along the perimeter of the project site to help blend in and provide a buffer between neighboring residential development (existing and future).

- The landscape plan in general provides well-placed contiguous planting areas including the large amount of landscaping along 27<sup>th</sup> Avenue.
- The project would comply with the requirement that not less than 20 percent of the site not occupied by buildings shall be landscaped. It would also comply with the canopy tree and shrub requirements (see Table 3).

**Table 4. Landscaping and Screening Requirements**

	<b>Code Requirement</b>	<b>Proposed</b>
<b>Lot Area</b>	--	88,452 sq. ft.
<b>Building footprint</b>	--	55,321 sq. ft.
<b>Remaining Lot Area</b>	--	33,101 sq. ft.
<b>Landscaping Required</b>	6,620 sq. ft.	11,998 sq. ft.
<b>Canopy Trees (1: 500 sq. ft.)</b>	13 trees	33 trees
<b>Shrubs (1: 100 sq. ft.)</b>	66 shrubs	117 shrubs

**Parking and loading landscaping and screening – Meets requirements with Conditions of Approval**

- The loading space is required to be screened from the western property line as it abuts a permitted residential use. The screening is required to be three feet in height and at least 95 percent opaque throughout the year. The applicant is proposing a dense planting of evergreen shrubs (Medora Junipers) that would meet this requirement.
- All other areas not governed by sections 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, would be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs, trees or edible landscaping.
- As a condition of approval, the landscape plan shall comply with the requirements in Section 530.200-Plant Material Standards and Section 530.210-Installation and Maintenance of Materials.

**ADDITIONAL STANDARDS**

**Concrete curbs and wheel stops – Meets requirements**

- The driveway would be defined by six (6) inch by six (6) inch continuous concrete curb. Since the site is over an acre, the project site will have to meet Chapter 54 of the Minneapolis code ordinances to minimize the negative impacts of stormwater runoff. As outlined in the stormwater report, the applicant is proposing an underground infiltration system to help meet City of Minneapolis stormwater management requirements.

**Site context – Meets requirements**

- The site plan would not block views of important elements of the city such as parks and greenways, significant buildings and water bodies. None of these elements are within a 200 foot radius of the project site.
- The building would be located and arranged to minimize shadowing on public spaces and adjacent properties. The project site would be in compliance with the side yard setback requirements and the new structure would be more than 70 feet from the nearest residential building, the University Commons development to the west: a four building multiple family development at 609 Huron Boulevard Southeast.

- The six-floor, mid-rise building would have a minimal impact on the generation of wind currents at ground level.

**Crime prevention through environmental design – Meets requirements**

- The site plan would employ best practices to increase natural surveillance and visibility, to control and guide movement on the site, and to distinguish between public and non-public spaces. The site plan includes the following crime prevention design elements: a large amount of glazing on all elevations to help with natural surveillance and visibility and a retaining wall along the public street to help with territorial reinforcement, space delineation and natural access control.

**Historic preservation – Meets requirements**

- The project site does not include a locally designated historic structure or structure that has been determined to be eligible to be locally designated as a historic structure. A historic review letter was completed on October 5, 2015 stating that the building at 117 27<sup>th</sup> Avenue Southeast does not meet the Minneapolis Code of Ordinances definition of a historic resource.

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

The proposed planned unit development is a *conditional* in the R5/Multiple-Family District.

**Off-street Parking and Loading – Requires conditional use permit**

- Table 541 requires one off-street parking space per dwelling unit. However, the project site is located in the University Area Overlay District. The UA Overlay District requires 0.5 parking spaces per bedroom. Therefore, the proposed 450 bedroom development would require 225 off-street parking spaces. The development is proposing 140 off-street parking stalls. An exception of the minimum parking requirements has been requested per the PUD application and that request has been evaluated above.
- There is no maximum parking requirement for dwellings except for parking that is not enclosed. All parking for the proposed development would be enclosed.
- The project would have a total of 450 bike parking spaces; 405 that meet the standards for long-term bicycle parking and 45 short-term bicycle parking spaces. This will meet the requirements outlined in Section 551.1330-Bicycle and Motorized Scooter Parking and Section 541.180-Bicycle Parking.
- As required by Table 541-9 Specific Off-Street Loading Requirement, a multiple family dwelling between 100 and 250 units is required to provide one small off-street loading space. The 195 residential unit development would provide one small off-street loading space in the northern part of the site. The proposed loading space complies with the location and size requirements outlined in Section 541.500-Loading Location and Section 541.560-Size.
- The driveway would be 22 feet wide at the property line, which is in compliance with the minimum (10 feet) and maximum (25 feet) allowance outlined in Section 541.240-Specific District Regulations for Access to Parking and Loading. The driveway would have an asphalt surface which is in compliance with the allowed surfacing materials in Section 541.300-Surfacing.
- The compact parking spaces (8'x15') and the 22-foot, two-way drive aisle complies with Section 541.330-Size.
- Snow will be removed from the project site.

**Table 5. Vehicle Parking Requirements Per Use (Chapter 54I)**

Use	Minimum	Reductions	Total with Reductions	Maximum Allowed	Proposed
Residential dwellings	225	N/A	225	N/A	140

**Table 5. Bicycle Parking Requirements (Chapter 54I)**

Use	Minimum	Short-Term	Long-Term	Proposed
Residential Dwellings	450	N/A	Not less than 90%/405	450 total 405 long term/45 short term

**Table 6. Loading Requirements (Chapter 54I)**

Use	Loading Requirement	Minimum Requirement	Proposed
Residential Dwellings	--	1 small space for residential development with 100 to 250 units	1 small

**Building Bulk and Height – Requires conditional use permit**

- The base FAR in the R5 District is 2.0. Since all parking would be enclosed the project qualifies for a 20 percent FAR bonus. Therefore, the allowed FAR is 2.4. In addition, the applicant is requesting an additional 20 percent bonus as an alternative to the PUD. With a successful acceptance of the alternatives, the maximum FAR for the project is 2.8. The project would have a FAR of 2.5 (220,560 square feet of floor area on an 88,452 square foot lot).
- The building height requires approval of the conditional use permit for the planned unit development. The flat roof building is 64.5 feet tall as defined by the Minneapolis zoning code, which exceeds the R5 District allowance of four stories or 56 feet, whichever is less. The natural grade 10 feet from the center of the building is 827.5 feet above sea level. The top of the first floor slab is 831 feet above sea level. The height of the building from the first floor slab to the roof is 61 feet (892 feet above sea level). In order for the lowest level (i.e. the parking garage) not to qualify as a story, the finished floor surface directly above the parking garage cannot be more than six (6) feet above grade, for more than fifty (50) percent of the total perimeter, or is more than twelve (12) feet above grade at any point. The proposal meets this requirement. At its most exposed point, the finished floor surface directly above the parking garage would be 5.4' above the typical grade on the western elevation.

**Table 7. Building Bulk and Height Requirements**

	<b>Code Requirement</b>	<b>Proposed</b>
<b>Lot Area</b>	--	88,452 sq. ft. / 2 acres
<b>Gross Floor Area (GFA)</b>	--	220,560 sq. ft.
<b>Minimum Floor Area Ratio (GFA/Lot Area)</b>	N/A	2.5
<b>Maximum Floor Area Ratio (GFA/Lot Area)</b>	2.8	2.5
<b>Maximum Building Height</b>	4 stories or 56 feet, whichever is less	6 stories and 64.5 ft.

**Lot Requirements – Requires variance(s)**

- The impervious surface allowance for a site in the R5/Multiple Family Residential District is 85 percent. The project would have an impervious surface of 86 percent. A variance is required and evaluated in the section above.

**Table 8. Lot Requirements Summary**

	<b>Code Requirement</b>	<b>Proposed</b>
<b>Dwelling Units (DU)</b>	--	195 DUs
<b>Density (DU/acre)</b>	N/A	96 DU/acre
<b>Minimum Lot Area</b>	Minimum of 5,000 square for a multiple family development Minimum of 1 acre for a planned unit development	2.03 acres
<b>Maximum Impervious Surface Area</b>	85%	86%
<b>Maximum Lot Coverage</b>	70%	63%
<b>Minimum Lot Width</b>	40 ft.	512 ft.

**Yard Requirements – Requires variance(s)**

- Section 546.560-Yard Requirements outlines the yard requirements for the project. The project has an established front yard setback because the property to the south is a through lot with a residential building approximately 50 feet from 27<sup>th</sup> Avenue Southeast. The project is proposing that the building, plaza, and transformers be located within the front yard setback. A variance is required and evaluated in the section above.
- As outlined in Table 546-14, the interior yard setbacks for the building are 5+2X with x being the number of stories above the first floor. The project is for a six story building. Therefore, the interior yard setbacks are 15 feet. The project would comply with this requirement (see Table 9).
- As outlined in Section 541.260-Driveways and parking areas on a zoning lot, uncovered driveways shall be a permitted obstruction in a required interior side yard, provided such driveway leads to a properly located parking area. The project includes a driveway that would be located along the northern interior property lines.

**Table 9. Minimum Yard Requirements**

	<b>Zoning District</b>	<b>Overriding Regulations</b>	<b>Total Requirement</b>	<b>Proposed</b>
<b>Front (27<sup>th</sup> Avenue)</b>	15 ft.	Established	50 ft. at its greatest point	15 ft.
<b>Interior Side (North and Northeast)</b>	15 ft.	--	15 ft.	A minimum of 16.5 ft.
<b>Interior (West)</b>	15 ft.	--	15 ft.	15 ft.

**Signs – Not applicable**

- There are no signs proposed at this time. All signs are subject to Chapter 543 of the Zoning Code. All new signs are required to meet the requirements in Chapter 543.

**Screening of Mechanical Equipment – Meets requirements with Conditions of Approval**

- The apartment units would have individual through-the-wall heating and cooling units. As a condition of approval and to be in compliance with Section 535.70-Screening of mechanical equipment, the heating, ventilation and air conditioning screens on the outside walls shall be matched to paint the surrounding wall finish to help reduce their visibility.
- The project would have two transformers along 27<sup>th</sup> Avenue Southeast; one would be located along the north and one along the south. The transformers would be screened with landscaping (Karl Foerester grass) and an artistic wrap or paint. CPED is recommending that the design of the artistic wrap or paint be reviewed and approved prior to building permit issuance.
- All other mechanical equipment is subject to the screening requirements of Chapter 535 and district requirements.

**Refuse Screening – Meets requirements**

- The project would be in compliance with Section 535.80-Screening of refuse and recycling storage containers as the refuse area would be within the building.

**Lighting – Meets requirements with Conditions of Approval**

- A lighting plan was not submitted with the application. As conditioned, a lighting plan shall be submitted prior to building permit issuance that shows the project is in compliance with the lighting requirements outlined in section 535.590-Lighting.

**Fences and Retaining Walls – Meets requirements**

- There are no fences as part of the project. The applicant is proposing retaining walls along 27<sup>th</sup> Avenue Southeast in the front yard setback that do not retain natural grade but would not be greater than two feet in height.

**Regulations of General Applicability – Meets requirements**

- **Unit size:** The project would be in compliance with Section 535.90-General standards for residential uses as all units would exceed the minimum 350 square foot gross floor area for an efficiency unit and 500 square foot floor area for a non-efficiency dwelling unit. Studios are proposed to be a minimum of 415 square feet and all other units would be a minimum of 560 square feet.

**Plazas – Meets requirements**

- The Minneapolis zoning code defines a plaza as an exterior open space designed for community gathering that is primarily hardscaped and accessible to the public, fronting along a public street or public sidewalk. The southern outdoor space along 27<sup>th</sup> Avenue Southeast was reviewed for compliance with the plaza standards as it was identified as a community gathering space and accessible to the public. The northern outdoor area was not considered a plaza as it is not intended to be accessible to the public. An analysis of the plaza standards is provided below:
  - **Size:** The plaza is approximately 4,100 square feet which exceeds the 2,000 square foot minimum square foot requirement outlined in Section 535.790.
  - **Placement:** The placement of plaza would not detract from and shall enhance natural surveillance and visibility of adjacent spaces and public sidewalks and facilitate pedestrian access and circulation. Multiple entries (including the main building entrance for pedestrians) and abundant windows would be oriented to the plaza to enhance natural surveillance, visibility and usability.
  - **Access:** The plaza is designed to allow pedestrian and bicycle access through and around the plaza. The plaza contains multiple access points from the public sidewalk. In addition, the plaza will be designed in accordance with the accessibility requirements of the Americans with Disabilities Act, and unobstructed walkways a minimum of four (4) feet in width would connect the plaza to the building. The plaza would not be adjacent to a transit stop.
  - **Natural surveillance and visibility:** The plaza is designed to promote natural surveillance with a large amount of windows and numerous building entrances leading directly to the plaza. In addition, the plaza is designed for people to observe adjacent spaces and the public sidewalks.
  - **Aerial obstructions:** The standards that apply to aerial obstructions require that plazas are unobstructed to the sky except for seating, arbors, trellises, kiosks, lighting, water features, public art and landscaping. Up to 30 percent of the plaza area may include umbrellas, awnings or an arcade. None of the plaza would have aerial obstructions.
  - **Surface materials:** The plaza would be surfaced with colored concrete.
  - **Seating:** The plaza complies with the seating requirements (see Table 10 below).

**Table 10. Plaza Seating Requirements**

	<b>Code Requirement</b>	<b>Proposed</b>
<b>Plaza Area</b>	--	4,100 sq. ft.
<b>Overall seating (1:50 sq. ft.)</b>	82 linear feet	168 linear feet
<b>Fixed seating (20% of required)</b>	16 linear feet	138 linear feet
<b>Seating with backs (20% of required)</b>	16 linear feet	30 linear feet
<b>Seating types</b>	2 types	2 types Seat wall planters and benches

- *Encroachments and setbacks:* The proposed plaza does not encroach into the public right-of-way.
- *Plantings:* Plazas shall provide a minimum of one (1) tree for each one thousand (1,000) square feet of plaza area. However, a landscaped area equivalent to ten (10) percent of the total plaza area may be provided in lieu of trees. The applicant is compliance with this requirement as they would have 27 percent of the plaza landscaped. The plaza would also include three trees.
- *Additional amenities:* The plaza is required to provide one additional amenity since it is less than 5,000 square feet. The applicant is proposing to provide moveable chairs equivalent to 25 percent of the minimum seating requirement. As outlined in the zoning code, the moveable chairs may be removed during the nighttime hours of 8:00 p.m. to 7:00 a.m.
- *Lighting:* As a condition of approval, a lighting plan shall be submitted prior to building permit issuance showing compliance with Chapter 535-Regulations of General Applicability.
- *Winter use:* The plaza is designed for winter use and relates to the built form with consideration given to elements such as providing shelter from winds, utilizing seasonally appropriate materials, maximizing access to sunlight and providing for snow and ice removal. The plaza would be located in an area that would be sheltered from north and westerly winds. The openness of the plaza to the east would maximize access to the sun in the morning and afternoon hours.
- *Trash receptacles:* A minimum of 1 trash receptacle and 1 recycling receptacle are required to be provided for each two thousand (2,000) square feet of plaza area. The project would be in compliance with this requirement as it would have 2 trash receptacles and 2 recycling receptacles.
- *Mechanical equipment:* The transformers/utility boxes located adjacent to the plaza would be screened with an artistic wrap or paint and plantings.
- *Maintenance:* As a condition of approval, the plaza shall be maintained in good order by the property owner for the life of the plaza. Proper maintenance shall include, but not be limited to, snow and ice removal, annual maintenance of vegetation and green space and annual inspection and repair and/or replacement of furnishings. Minimum landscaping and seating requirements shall be maintained for the life of the plaza. All adjacent streets, sidewalks and pathways shall be inspected regularly for purposes of removing any litter found thereon.

#### **Specific Development Standards – Not applicable**

- Since the proposed project is within the UA Overlay District it is not subject to the development standards for a multiple family dwelling with five or more units.

#### **University Area Overlay District Standards – Meets requirements**

- The project is requesting alternative compliance as part of the planned unit development in terms of the number of off-street parking spaces required for a multiple family residential project in the University Area Overlay District (Section 551.1320-Off-Street Parking).
- The project would meet the minimum bicycle and motorized scooter parking as outlined in Section 551.1330.

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

*The Minneapolis Plan for Sustainable Growth* identifies the site as Urban Neighborhood and Transitional Industrial on the future land use map. Approving the site plan for the proposed development would be consistent with the following urban design policies outlined in *The Minneapolis Plan for Sustainable Growth*:

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

- 10.4.2 Promote the development of new housing that is compatible with existing development in the area and the best of the city's existing housing stock.

**Urban Design Policy 10.5: 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.
- 10.6.3 Provide appropriate physical transition and separation using green space, setbacks or orientation, stepped down height, or ornamental fencing to improve the compatibility between higher density and lower density residential uses.
- 10.6.4 Orient buildings and building entrances to the street with pedestrian amenities like wider sidewalks and green spaces.
- 10.6.5 Street-level building walls should include an adequate distribution of windows and architectural features in order to create visual interest at the pedestrian level.
- 10.6.6 Integrate transit facilities and bicycle parking amenities into the site design.

**Urban Design Policy 10.8: Strengthen the character and desirability of the city's urban neighborhood residential areas while accommodating reinvestment through infill development.**

- 10.8.1 Infill development shall reflect the setbacks, orientation, pattern, materials, height and scale of surrounding dwellings.
- 10.8.3 Building features of infill development, such as windows and doors, height of floors, and exposed basements, shall reflect the scale of surrounding dwellings.

**Urban Design Policy 10.14: Encourage development that provides functional and attractive gathering spaces.**

- 10.14.3 Encourage the creation of new parks and plazas.
- 10.14.6 Develop public plaza standards that give specific guidance on preferred design and maintenance of seating, lighting, landscaping and other amenities utilizing climate sensitive design principles.

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

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

- 10.19.1 In general, larger, well-placed, contiguous planting areas that create and define public and private spaces shall be preferred to smaller, disconnected areas.
- 10.19.2 Plant and tree types should complement the surrounding area and should include a variety of species throughout the site that include seasonal interest. Species should be indigenous or proven adaptable to the local climate and should not be invasive on native species.
- 10.19.3 Landscaped areas should include plant and tree types that address ecological function, including the interception and filtration of stormwater, reduction of the urban heat island effect, and preservation and restoration of natural amenities.
- 10.19.4 Landscaped areas should be maintained in accordance with Crime Prevention Through Environmental Design (CPTED) principles, to allow views into and out of the site, to preserve view corridors and to maintain sight lines at vehicular and pedestrian intersections.
- 10.19.5 Landscaping plans should be designed to facilitate future maintenance including the consideration of irrigation systems, drought and salt-resistant species, ongoing performance of storm water treatment practices, snow storage, access to sun, proximity to buildings, paved surfaces and overhead utilities.

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

- 10.22.1 Integrate “eyes on the street” into building design through the use of windows to foster safer and more successful commercial areas in the city.
- 10.22.2 Orient new housing to the street to foster safe neighborhoods.
- 10.22.3 Design the site, landscaping, and buildings to promote natural observation and maximize the opportunities for people to observe adjacent spaces and public sidewalks.
- 10.22.5 Locate landscaping, sidewalks, lighting, fencing and building features to clearly guide pedestrian movement on or through the site and to control and restrict people to appropriate locations.
- 10.22.7 Locate entrances, exits, signs, fencing, landscaping, and lighting to distinguish between public and private areas, control access, and to guide people coming to and going from the site.

**Urban Design Policy 10.23 Promote climate-sensitive design principles to make the winter environment safe, comfortable and enjoyable.**

- 10.23.2 Locate pedestrian places on the sunny sides of streets and buildings to shelter from the wind and utilize the sun’s warmth.
- 10.23.4 Encourage snow removal and storage practices that promote pedestrian and bicycle activity and safety.

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

The proposed project would be in compliance with two other plans adopted by the City Council. The project is consistent with the *Minneapolis Bicycle Master Plan* which calls for the Prospect Park Trail to run through the site along the rail corridor. The applicant is proposing a 10-foot wide path within the rail corridor portion of the property to comply with the plan's guidance. In the short term, the completion of this trail would create a shorter route for pedestrians and bikers traveling to and from the University of Minnesota to Southeast Minneapolis via from 27th Avenue Southeast. In the long term if the trail is fully completed it would allow people to directly bike or walk from the Midtown Greenway to Essex Street Southeast.

The project is also in compliance with The *Stadium Village University Avenue Station Area Plan*. This small area plan was divided into subdistricts. The project site is within the 27<sup>th</sup> Avenue Open Space District. The proposed development is in compliance with the subdistrict's primary objectives of creating a green corridor along 27<sup>th</sup> Avenue, framing the edges of the roadway, strengthening connections to the adjacent neighborhoods, defining opportunities for new open spaces, and improving the character of public realm with streetscape enhancements, stormwater management and architectural guidance.

#### **5. Alternative compliance.**

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

- **Building walls shall provide architectural detail to create visual interest.** As required by Section 530.120- building walls shall provide architectural detail in order to create visual interest. The proposed building does contain some architectural detail to provide visual interest including breaking up the large building into separate modules through building placement and changing of materials, having varying floor heights for different modules, including balconies that are at least five feet in depth on the front and back of the building. However, given the height, size and length of the building additional details should be provided to further the visual interest of the building. Alternative compliance is required. The intent of the architectural detail requirement is to improve the aesthetics of the building. In order to improve the building appearance, CPED is recommending that the applicant install a more pronounced cornice and to recess windows within the brick portions of the building for the first four floors. A more pronounced cornice would help greater define the upper portion of the building and give the building greater depth. Recessing the windows within the brick portions of the building would also give the building greater depth for a portion of the building.
- **Blank walls:** The first floor on the north elevation and portions of the 6<sup>th</sup> floor are proposed to have a blank, uninterrupted wall that does not include windows, entries, recesses, or projections for more than 25 feet. This is not in compliance with Section 530.120-Building design. Alternative compliance is required. The intent of this requirement is to increase safety by providing natural surveillance and enhance the visual interest of a building. CPED does not believe the current proposal meets the intent of this chapter and that strict adherence to the requirements is impractical. Therefore, CPED is recommending that the applicant shall install windows on the first floor on the north elevation and portions of the 6<sup>th</sup> floor to meet the requirement that there not be a blank wall for more than 25 feet.

## PRELIMINARY AND FINAL PLAT

The Department of Community Planning and Economic Development has analyzed the application for a preliminary and final plat based on the following findings:

1. *The subdivision is in conformance with these land subdivision regulations, the applicable regulations of the zoning ordinance and policies of the comprehensive plan.*

The applicant is proposing to combine a platted lot with adjacent unplatted railroad land (2512 Essex Street Southeast and a portion of 1710 Franklin Avenue Southeast) to allow for a planned unit development. Public Works and the Attorney's office reviewed the preliminary and final plat and did not identify any issues.

The preliminary and final plat is in conformance with the design requirements of the land subdivision regulations. The project site is five sides. The preliminary and final plat would also conform with the applicable regulations of the zoning ordinance and the policies of the comprehensive plan as outlined in the land use applications above. Furthermore, with the adoption of the proposed rezoning, a lot with more than one zoning classification would not be created.

2. *The subdivision will not be injurious to the use and enjoyment of other property in the immediate vicinity, nor be detrimental to present and potential surrounding land uses, nor add substantially to congestion in the public streets.*

Approval of the subdivision would not be injurious to the use and enjoyment of other property in the immediate vicinity, nor be detrimental to present and potential surrounding land uses, nor add substantially to congestion in public streets as outlined in the land use applications above.

3. *All land intended for building sites can be used safely without endangering the residents or users of the subdivision or the surrounding area because of flooding, erosion, high water table, soil conditions, improper drainage, steep slopes, rock formations, utility easements or other hazard.*

The land intended for building can be used safely without endangering the residents or users of the subdivision or the surrounding area because of flooding, erosion, high water table, soil conditions, improper drainage, steep slopes, rock formations, utility easements or other hazard. Since the site is over an acre, the project site will have to meet Chapter 54 of the Minneapolis code ordinances to minimize the negative impacts of stormwater runoff. In addition, the applicant has provided a geotechnical report that outlines how the project would not adversely impact the high water table. The project is relatively flat and does not have a steep slope.

4. *The lot arrangement is such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits and in providing driveway access to buildings on such lots from an approved street. Each lot created through subdivision is suitable in its natural state for the proposed use with minimal alteration.*

The lot created by this application presents no foreseeable difficulties for this development. No significant alterations to the land appear necessary.

5. *The subdivision makes adequate provision for stormwater runoff, and temporary and permanent erosion control in accordance with the rules, regulations and standards of the city engineer and the requirements of these land subdivision regulations. To the extent practicable, the amount of stormwater runoff from the site after development will not exceed the amount occurring prior to development.*

The Surface Water and Sewers Division of the Public Works Department will review and approve the drainage and sanitary system plans for this development prior to building permits being issued.

**FOR REZONINGS ONLY**

**ZONING PLATE NUMBER. 22**

**LEGAL DESCRIPTION.**

Parcel 2: That part of the 100 foot wide Soo Line Railroad Company right of way formerly known as the Chicago, Milwaukee and Saint Paul Railway Company right of way across the Northeast 1/4 and the Southwest 1/4 of the Southeast 1/4 of the Northwest 1/4 of Section 30, Township 29 North, Range 23 West lying Northwesterly of the centerline of 27th Avenue SE and lying Southeasterly of the following described parcel:

That part of the 100 foot wide Soo Line Railroad Right-of-Way, formerly known and platted as the Chicago Milwaukee and St. Paul Railway (C.M. and St.P.) in the Northwest Quarter of Section 30, Township 29 North, Range 23 West of the 4th Principal Meridian, Hennepin County, Minnesota described as follows:

Commencing at the northwest corner of Lot 1, Block 32, "Regents Addition" according to the recorded plat thereof, said Hennepin County; thence South 63 degrees 51 minutes 54 seconds East, assumed bearing along the southwesterly line of Essex Street Southeast as taken or opened by the City of Minneapolis, a distance of 246.25 feet of the most northerly corner of Lot 1, Moores Rearrangement of Block 33, Regents' Addition to Minneapolis, according to the recorded plat thereof, said Hennepin County; thence North 63 degrees 51 minutes 54 seconds West along said southwesterly line a distance of 157.38 feet to the westerly line of said railroad right-of-way; thence South 24 degrees 24 minutes 57 seconds East along said westerly line a distance of 206.34 feet to the point of beginning of the land to be described; thence North 65 degrees 35 minutes 03 seconds East a distance of 100.00 feet to the easterly line of said railroad right-of-way; thence South 24 degrees 24 minutes 57 seconds East along said easterly line a distance of 100.00 feet; thence South 65 degrees 35 minutes 03 seconds West a distance of 100.00 feet to said westerly line; thence North 24 degrees 24 minutes 57 seconds West along said westerly line a distance of 100.00 feet to said point of beginning, according to the United States Government Survey thereof and situated in Hennepin County, Minnesota. (Abstract Property)

**RECOMMENDATIONS**

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt staff findings for the applications by Elsey Partners, LLC for the properties located at 117 27<sup>th</sup> Avenue Southeast and on adjacent former railroad land (2512 Essex Street Southeast and a portion of 1710 Franklin Avenue Southeast).

**A. Rezoning the former railroad land at 2512 Essex Street Southeast and a portion of 1710 Franklin Avenue Southeast from the II/Light Industrial District to the R5/Multiple-Family District and the removal of the IL/Industrial Living Overlay District.**

Recommended motion: **Approve** the application for rezoning the property from the II/Light Industrial District to the R5/Multiple-Family District and the removal of the IL/Industrial Living Overlay District.

**B. Conditional Use Permit for a Planned Unit Development.**

Recommended motion: **Approve** the conditional use permit for a planned unit development with 195 dwelling units, subject to the following conditions:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within two years of approval.
2. As required by Section 527.120 of the zoning code, the development shall comply with the standards for some combination of the following amenities from Table 527-1, Amenities totaling a minimum of 20 points: Plaza, reflective roof, enhanced exterior lighting, water feature, enhanced landscaping, recycling storage area, pedestrian/bike trail and an outdoor courtyard. The pedestrian/bike trail shall be maintained for year-round access (including snow and ice removal) and open to the public. In addition, a lighting plan shall be submitted prior to building permit issuance to show that the trail will be adequately lighted and in compliance with Section 535.590-Lighting standards. Furthermore, the recycling storage area shall be moved to a location near equal distance between the units at the northern and southern end of the building or a second recycling storage area shall be installed that provides an easily accessible recycling area for all tenants.
3. A minimum of 35 parking spaces shall be provided that meet the minimum dimensions for standard spaces. In addition, all parking areas shall be marked as required by Section 541.320-Marking of Spaces and the compact parking stalls shall be labeled as required by Section 541.330-Size.
4. The applicant shall implement all amenities as required by Section 527.120 of the zoning code by January 11, 2018.

**C. Variance to reduce the front yard setback.**

Recommended motion: **Approve** the variance application to reduce the established front yard setback requirement to 15 feet for the proposed building, 5 feet for mechanical equipment, and 0 feet for a plaza, subject to the following condition:

1. The transformers shall be artistically wrapped or painted. The design of the wrap or paint shall be reviewed and approved by CPED.

**D. Variance to increase the impervious surface.**

Recommended motion: **Approve** the variance application to increase the amount of impervious surface allowed on the project site from 85 percent to 86 percent.

**E. Site Plan Review for a new commercial building.**

Recommended motion: **Approve** the site plan review for the construction of a six-story, residential building with 195 residential units and 450 bedrooms, subject to the following conditions:

1. As required by Section 530.120- building walls and as a form of alternative compliance, the applicant shall install a more pronounced cornice and recess windows within the brick portions of the building on the first four floors. In addition, the applicant shall install windows on the first floor on the north elevation and portions of the 6th floor to meet the requirement that there not be a blank wall for more than 25 feet.
2. As a condition of approval, the landscape plan shall comply with the requirements in Section 530.200-Plant Material Standards and Section 530.210-Installation and Maintenance of Materials.
3. As required by Section 535.70-Screening of mechanical equipment, the heating, ventilation and air conditioning screens on the outside walls shall be painted to match the surrounding

- wall finish to help reduce their visibility. In addition, CPED shall review the design of the artistic wrap or paint proposed for the utility boxes prior to building permit issuance.
4. As conditioned, a lighting plan shall be submitted prior to building permit issuance that shows the project and plaza is in compliance with the lighting requirements outlined in section 535.590-Lighting.
  5. As required by Section 535.810-Development standards for all permitted plazas, the plaza shall be maintained in good order by the property owner for the life of the plaza. Proper maintenance shall include, but not be limited to, snow and ice removal, annual maintenance of vegetation and green space and annual inspection and repair and/or replacement of furnishings. Minimum landscaping and seating requirements shall be maintained for the life of the plaza. All adjacent streets, sidewalks and pathways shall be inspected regularly for purposes of removing any litter found thereon.

**F. Preliminary and Final Plat.**

Recommended motion: **Approve** the preliminary and final plat.

## ATTACHMENTS

1. Zoning map and zoning comparison
2. Project overview and narrative
3. PDR report
4. Planned unit development information
5. Historic review letter
6. Public comments
7. Renderings
8. Aerials and images
9. Preliminary and final plat
10. Civil plan set-survey, site, grading, landscape, stormwater
11. Plan set-floor plans, building elevations, section
12. Shadow study