

**LAND USE APPLICATION SUMMARY**

*Property Location:* 200 Central Ave SE and 113 2nd St SE  
*Project Name:* 200 Central Avenue SE  
*Prepared By:* [Janelle Widmeier](#), Senior City Planner, (612) 673-3156  
*Applicant:* Alatus LLC  
*Project Contact:* Chris Osmundson, Alatus LLC  
*Request:* To construct a new mixed-use building including 214 dwelling units and 6,500 square feet of commercial space

*Required Applications:*

<b>Conditional Use Permit</b>	To increase the maximum height from 4 stories or 56 feet to 42 stories or 483 feet 4 inches.
<b>Variance</b>	To increase the maximum floor area ratio (FAR) from 2.04 to 14.42.
<b>Variance</b>	To allow the first floor of the building to be located more than eight feet from the front property lines along Central Avenue Southeast and 2 <sup>nd</sup> Street Southeast in the PO Pedestrian Oriented Overlay District.
<b>Site Plan Review</b>	For a new mixed-use building including 214 dwelling units and 6,500 square feet of commercial space.

**SITE DATA**

<b>Existing Zoning</b>	C2 Neighborhood Corridor Commercial District PO Pedestrian Oriented Overlay District MR Mississippi River Critical Area Overlay District UA University Area Overlay District
<b>Lot Area</b>	34,762 square feet / 0.8 acres
<b>Ward(s)</b>	3
<b>Neighborhood(s)</b>	Marcy Holmes; adjacent to Nicollet Island-East Bank
<b>Designated Future Land Use</b>	Mixed Use
<b>Land Use Features</b>	Activity Center (East Hennepin) Community Corridor (Central Avenue)
<b>Small Area Plan(s)</b>	<a href="#">Marcy-Holmes Neighborhood Master Plan (2014)</a>

<b>Date Application Deemed Complete</b>	July 18, 2016	<b>Date Extension Letter Sent</b>	August 22, 2016
<b>End of 60-Day Decision Period</b>	September 16, 2016	<b>End of 120-Day Decision Period</b>	November 15, 2016

## BACKGROUND

**SITE DESCRIPTION AND PRESENT USE.** The subject properties, 200 Central Avenue Southeast and 113 2<sup>nd</sup> Street Southeast, are located at the intersection of Central Avenue and 2<sup>nd</sup> Street Southeast just over one block from the Mississippi River. The site is also in the St. Anthony Falls Historic District. The existing structures would be demolished to allow for the new development.

**SURROUNDING PROPERTIES AND NEIGHBORHOOD.** The site is located in a mixed use area with residential densities ranging from low to very high. Adjacent to the subject property, a one-story office building (formerly the Pillsbury Library) is located to the north and a 9-level parking ramp is located to the east. Across 2<sup>nd</sup> Street is a 12-story condominium building. Across Central Avenue are townhomes, the Ard Godfrey House and Chute Square.

**PROJECT DESCRIPTION.** The applicant is proposing to demolish the existing structures and construct a new 42-story mixed use building. The building would include a total of 214 dwelling units, 6,500 square feet of ground floor commercial space, and 389 parking spaces (69 of which are tandem). The parking spaces would be located in three levels below-grade in addition to the first four levels of the building. The commercial space would occupy most of the Central Avenue frontage. The applicant expects that a restaurant would occupy the space. A service drive accessed from Central Avenue, a loading area, and other service areas would occupy the north side of the ground floor. Vehicle access from 2<sup>nd</sup> Street, including a porte cochere, and the main residential entrance lobby would occupy the south side of the ground floor. The first four levels of the building would make up the podium. An amenity level would be located on the 5th floor. The tower would have 37 levels, including a mechanical penthouse level, which would be topped with a decorative parapet.

The maximum height for buildings in the C2 zoning district is 4 stories or 56 feet. The proposed building would be 42 stories (the elevator overrun counts as two stories) and 483 feet 4 inches to the top of the tallest part of the building. A conditional use permit (CUP) is required to increase the maximum height. Upon approval of the CUP, the CUP must 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.

The maximum floor area ratio (FAR) in the C2 zoning district is 1.7. With the enclosed parking bonus, the maximum FAR is 2.04. The proposed development has a FAR of 14.42. A variance is required to allow an increase in the maximum FAR.

The site is located in the PO Pedestrian Oriented Overlay District. One of the regulations in the overlay district requires that all buildings be located within eight feet of the front and corner side property lines. Along both Central Avenue Southeast and 2<sup>nd</sup> Street Southeast, the first floor of the building would be located more than 8 feet from the property lines by more than eight feet in some places. A variance is required to allow a greater setback.

Site plan review is required for any project with 5 or more new dwelling units or any new mixed use building.

In April of 2016, a complete petition for an environmental assessment worksheet (EAW) was received and the City Council denied the petition, determining that an EAW was not needed.

**RELATED APPROVALS.** The project has completed the [Heritage Preservation application process](#). On June 17, 2016, the City Council took the following actions:

- Approved an appeal of the Heritage Preservation Commission decision to deny a certificate of appropriateness to allow the proposed building.
- Approved an appeal of a condition of approval of the Heritage Preservation Commission decision on the certificate of appropriateness application to allow the demolition of the existing structures.
- Denied an appeal of the Heritage Preservation Commission decision to approve the certificate of appropriateness application to allow the demolition of the existing structures.

The current plans are in compliance with the above approvals.

**PUBLIC COMMENTS.** Public comments have been submitted regarding the project. Any additional correspondence received prior to the public meeting will be forwarded on to the Planning Commission for consideration.

## ANALYSIS

### CONDITIONAL USE PERMIT

The Department of Community Planning and Economic Development has analyzed the application to increase the maximum height from 4 stories or 56 feet to 42 stories or 483 feet, 4 inches 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 height limitation in the C2 zoning district is four stories or 56 feet. The applicant is proposing to construct a building that is 42 stories or 483 feet, 4 inches in height. The height includes the mechanical level and the decorative building “cap”. The proposal to increase the height of the building would not be detrimental to or endanger the public health, safety, 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 proposed height of the building is compatible with other buildings in the area as well.

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 proposal to increase the height of the building from four stories or 56 feet to 42 stories or 483 feet, 4 inches would not be injurious to the use and enjoyment of other property in the vicinity and would not impede the normal or orderly development and improvement of surrounding property. While CPED recognizes that the proposed height of the building is a substantial deviation from the height requirement in the C2 zoning district, the proposed height of the building is compatible with other buildings in the area. The adjacent parking ramp is 98 feet tall. The proposed building is located across the street from Winslow House Condominiums which is approximately 180 feet tall. There are other high-rises in the surrounding area as well, including LaRive Condominiums to the west, which is approximately 310 feet in height.

The proposed building would be divided into two main modules: the podium and the tower. The first four floors of the building make up the podium, the footprint of which would occupy most of the site and would be oriented to the street grid. The height of the first four floors, including the parapet, would be 59.5 feet tall. The footprint of the tower is less than half of that of the podium.

The tower would be setback from the street edge. Specifically, it would be set back 6.5 to 14 feet from the podium wall adjacent to Central Avenue and would be set back over 30 feet from the podium wall adjacent to 2<sup>nd</sup> Street. The podium would be set back one to 17 feet from the lot line adjacent to the north rear lot line, while the tower would be set back 15 to 18 feet. The one-story library is set back 20 feet from the shared lot line. The proposed setbacks would be sufficient to retain access to light and air of the surrounding properties. By limiting the podium height to 4-stories and minimizing the footprint of the tower, no nearby properties would be shadowed throughout the day.

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

The site is served by existing infrastructure and has frontage on two streets. The Public Works Department has reviewed the project for appropriate drainage and stormwater management as well as to ensure the safety of the position and design of improvements in or over the public right of way.

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

Adequate measures would be provided to minimize traffic congestion in the public streets. The project meets or exceeds the minimum vehicle, bicycle, and loading requirements of the zoning code. Residential vehicle parking would be provided on-site. Parking for the restaurant would be located in the adjacent ramp, which has excess capacity. Additional short-term bicycle parking would be provided for residential guests and patrons of the restaurant. The site is located within 2 blocks of 22 transit routes and is conveniently connected to the bicycle network. There are many neighborhood serving uses and amenities within convenient walking distance from the site. A NiceRide kiosk is one block from the site. A draft travel demand management plan (TDMP) was completed for this project. The TDMP concluded that traffic from the proposed development would not have a significant impact on area traffic operations. Additional strategies from the TDMP for minimizing traffic congestion include designating a transportation coordinator, a real-time transit screen, and charging for parking spaces.

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

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

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

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

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

- 1.5.1 Support an appropriate mix of uses within a district or corridor with attention to surrounding uses, community needs and preferences, and availability of public facilities.

**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 1.9: Through attention to the mix and intensity of land uses and transit service, the City will support development along Community Corridors that enhances residential livability and pedestrian access.**

- 1.9.6 Promote more intensive residential development along Community Corridors near intersections with Neighborhood Commercial Nodes and other locations where it is compatible with existing character.

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

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

**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.
- 10.5.3 Large-scale, high-rise, multi-family residential development is more appropriate in the Downtown Minneapolis Growth Center.

**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.
- 10.6.2 Promote the preservation and enhancement of view corridors that focus attention on natural or built features, such as the Downtown skyline, landmark buildings, significant open spaces or bodies of water.
- 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.

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

- 10.23.1 Consider solar access, shelter from wind and snow storage and removal in site design.
- 10.23.3 Consider building context, placement, and height to manage wind speeds.

The *Marcy-Holmes Neighborhood Master Plan* was adopted by the City Council in 2014. In the plan, the site falls in the Riverfront Character Area. The goal of the plan for this area is to “Expand and improve riverfront parks, improve connectivity, balance local and regional access and use, create bike- and walk-friendly environments on 2nd Street Southeast, and embrace diversity of building uses and eras.” The plan does not contain specific guidance for height, but indicates that higher density residential development is appropriate at this location because it is along a transit and transportation corridor and near a commercial center.

In *The Minneapolis Plan for Sustainable Growth*, Activity Centers are described as places with a mix of uses that have citywide and regional draw. They contain a variety of uses, including employment, commercial, office, and residential uses. Densities in Activity Centers range between high density (50-120 du/acre) and very high density (120-200 du/acre), dependent on context. In addition, densities up to 800 dwelling units per acre (du/acre) may be allowed in or near all designated Growth Centers and within Activity Centers adjacent to Growth Centers, as consistent with adopted small area plans. Because the site is located in an Activity Center adjacent to the Downtown Growth Center, the proposed density of 268.2 du/acre and the proposed height is consistent with the policy guidance of the City's comprehensive plan.

The comprehensive plan encourages concentrating the tallest buildings in the Downtown Minneapolis Growth Center. The site is not located in the Downtown Minneapolis Growth Center, but it is located in the East Hennepin Activity Center where other tall buildings are located. The massing and scale of the project would be compatible with the surrounding area.

The proposed building would be divided into two main modules: the podium and the tower. The first four floors of the building make up the podium, the footprint of which would occupy most of the site. The height of the first four floors, including the parapet, would be 59.5 feet tall. The footprint of the tower is less than half of that of the podium. The tower would be setback from the street edge and 15 to 18 feet from the north lot line. The one-story library building is set back 20 feet from the shared lot line. The proposed setbacks would be sufficient to retain access to light and air of the surrounding properties. By limiting the podium height to 4-stories and minimizing the footprint of the tower, the shadowing impacts would not be significant given the context of the area.

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

The development will conform to the applicable regulations of the districts in which it is located, upon approval of the conditional use permit, variances and site plan review.

#### **Additional Standards to Increase Maximum 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 of principal structures in commercial districts:

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

To ensure adequate access to light and air of surrounding properties, the proposed building would be divided into two main modules: the podium and the tower. The first four floors of the building make up the podium, the footprint of which would occupy most of the site. The height of the first four floors, including the parapet, would be 59.5 feet tall. The footprint of the tower is less than half of that of the podium. The tower would be setback from the street edge and 15 to 18 feet from the north lot line and over 70 feet from the east lot line. The one-story library building is set back 20 feet from the shared lot line. A 9-level parking ramp is located to the east. Other properties are separated from the subject site by streets. The proposed setbacks would be sufficient to retain access to light and air of the surrounding properties. By limiting the podium height to 4-stories and minimizing the footprint of the tower, the shadowing impacts would not be significant given the context of the area.

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

The applicant submitted a shadow study depicting shadowing impacts in the morning, at noon, and in the evening on the Spring and Fall equinox and on the Summer and Winter solstice. The shadow

studies indicate that the proposed building would cast shadows on surrounding residential properties to the east, north and west and Chute Square to the northwest; however, the shadowing impacts would not be significant given the context of the area and would not shadow any one property throughout the day. The closest solar energy system is over three blocks away from the subject site and would not be shadowed by the building.

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

Although the proposed building would become the tallest structure in the immediate vicinity, the scale and character of the project is compatible with the surrounding area. Buildings in the surrounding area range from one to 26-stories. The adjacent parking ramp is 98 feet tall. The proposed building is located across the street from Winslow House Condominiums which is approximately 180 feet tall. There are other high-rises in the surrounding area as well, including LaRive Condominiums to the west, which is approximately 310 feet in height.

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

The Pillsbury Library building, located directly north of the proposed development site, is a part of the Saint Anthony Falls Historic District. The height of the proposed building would block views of the landmark from this location. However, a four-story building would also block views of the library since it is only one story in height. In addition, Chute Square is located northwesterly of the site and the Mississippi River is located southwesterly of the site. While the park and the river are located nearby, the building would not impede any significant view corridors in the historic district. It should be noted that the intent of the standard is to preserve public view corridors, not to preserve individual views from private developments.

## VARIANCE: FAR

The Department of Community Planning and Economic Development has analyzed the application for a variance to increase the maximum floor area ratio (FAR) from 2.04 to 14.42 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 FAR in the C2 zoning district is 1.7. The development qualifies for a 20 percent density bonus for enclosed residential parking. The bonus increases the maximum FAR to 2.04. The development site is 34,762 square feet in size and the overall size of the building is 501,275 square feet. This yields a proposed FAR of 14.42. Given this, the applicant has applied for a variance to increase the maximum FAR from 2.04 to 14.42.

Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The property is located in the designated East Hennepin Activity Center. It is across the river from downtown, which is designated as a Growth Center. Adopted City policies indicate that densities up to 800 du/acre may be allowed in or near all designated Growth Centers and within Activity Centers adjacent to Growth Centers, as consistent with adopted small area plans. The City Council approved the *Marcy-Holmes Neighborhood Master Plan* in 2014. The small area plan indicates that higher density residential development is appropriate at this location because it is along a transit and transportation corridor and near a commercial center. The proposed development has a density of 268.2 du/acre. To achieve the desired density at this location, the FAR of the building needs to be increased.

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 property is proposed to be used in a reasonable manner that would be in keeping with the spirit and intent of the ordinance and the comprehensive plan. In general, building bulk regulations are established in order to assure that the scale and form of new development or expansion will occur in a manner most compatible with the surrounding area. There are other very high density developments in the surrounding area and the proposed FAR of the building allows for the desired density in this location.

The scale and form of the building would be compatible with the surrounding area. The proposed building has been designed to break up the building massing by dividing it into two main modules: the podium and the tower. The podium would be 4-stories and height and would occupy most of the site. The tower would have a smaller footprint that would be less than half of that of the podium. The tower would also be stepped in from the walls of the podium on the east, west, and south sides. On the north side, the tower would be set back 15 to 18 feet from the north lot line. The property is separated from the nearest residential properties by public streets.

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

The granting of the variance 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 of those utilizing the property or nearby properties as the building would be required to be constructed to current building codes.

This area is guided for high density development. The proposed size of the building would be compatible with other buildings in the area. The scale of buildings in the immediate area ranges from small to large. The site is adjacent to a one-story office building and a 9-level parking ramp that occupies half of the block. The office building, formerly the Pillsbury Library, is a contributing structure to an historic district. The upper levels of the proposed building would be separated from the contributing office building by 35 feet or more. The proposed building would be separated from other low scale development, contributing structures to the historic district, and a public park by public streets.

## VARIANCE: PO OVERLAY

The Department of Community Planning and Economic Development has analyzed the application for a variance to allow the building to be located more than eight feet from the front property lines along Central Avenue Southeast and 2<sup>nd</sup> Street Southeast in the PO Pedestrian Oriented Overlay District 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 site is located in the PO Pedestrian Oriented Overlay District where the first floor of all buildings is required to be located within eight feet of the front and corner side property lines. The first floor of the building will be located between 8 and 12 feet from the front property line along Central Avenue Southeast and between 6 and 48 feet along 2<sup>nd</sup> Street Southeast.

Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The property is located in the designated East Hennepin Activity Center. This is an area with high levels of pedestrian traffic. Adopted City policies encourage wider sidewalks in Activity Centers as well as landscaping between sidewalks and street curbs to act as a buffer for pedestrians. Along Central Avenue, the existing sidewalk is 7.5 feet wide with no landscaped boulevard. To achieve a wider sidewalk and a landscaped boulevard, the first floor of the building has been set back eight feet from the lot line. However, the building wall would be set back 12 feet at the northwest corner where the service drive entrance is located. Along 2<sup>nd</sup> Street, the building has also been set back from the lot line to allow more space for pedestrians, landscaping and bicycle parking. Just over 50 percent of the first floor building wall would be less than 8 feet from the lot line. The remainder of the first floor building wall would be recessed to allow for a porte cochere and access to the enclosed parking. Vehicle access to and from Central Avenue is restricted due to the high traffic volumes on this street and the transit stop at the corner of University Avenue and Central Avenue that serves 11 bus routes. Between the two curb cuts, a decorative screen wall would be within 8 feet of the lot line to reinforce the building wall.

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 PO Pedestrian Oriented Overlay District was established to preserve and encourage the pedestrian character of commercial areas and to promote street life and activity by regulating building orientation and design and accessory parking facilities, and by prohibiting certain high impact and automobile-oriented uses.

The building has been set back from the lot lines along both Central Avenue Southeast and 2<sup>nd</sup> Street Southeast to achieve wider sidewalks, more landscaping, and bicycle parking. Along Central Avenue, all but 24 feet of the first floor building wall would be 8 feet from the lot line. The recessed part of the wall would be adjacent to a residential entrance and a service drive entrance. The rest of the frontage is commercial space, which is appropriate on a primary transit and transportation corridor near the commercial center of this area. Along 2<sup>nd</sup> Street, a decorative screen and landscaping wall would be located between the proposed porte cochere and the lot line. The west side curb cut of the porte cochere has been limited to 14 feet in width to lessen potential conflicts with pedestrians. The proposed decorative screen wall between the two curb cuts would reinforce the building wall. To facilitate pedestrian access between the public sidewalk and the primary residential entrance, the applicant is proposing to utilize high-quality materials and design techniques in the porte cochere in order for the interior of the building lobby to flow out to the drop-off zone, similar to the Carlisle and Latitude 45 projects.

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

The granting of this 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 of those utilizing the property or nearby properties. As part of the historic preservation review process, the City Council found that the porte cochere would not be inconsistent with the adopted guidelines and the character of the historic district. The amenities proposed between the building and the lot lines allow for more pedestrian space, landscaping, bicycle parking. The proposed decorative screen wall between the two curb cuts would reinforce the building wall.

## 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 – Requires alternative compliance**

- The first floor of the building would be located 8 feet from the property line along Central Avenue Southeast, except where the service drive would be located and the wall would be set back 12 feet. The first floor of the building would be located 6 feet along 2<sup>nd</sup> Street Southeast, except where the wall would be set back to accommodate the porte cochere and access to the enclosed parking. This area of the building would be set back 32 to 48 feet. Alternative compliance is required.
- The placement of the building would reinforce the street walls, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation. The building will be set relatively close to the property lines adjacent to each street. The principal entrance for the residences would face 2<sup>nd</sup> Street Southeast and the principal entrance for the commercial space would face Central Avenue Southeast. There would also be a secondary residential entrance facing Central Avenue. An abundant amount of windows on each street facing side of the building would be provided to maximize opportunities for people to observe adjacent spaces.
- The area between the building and the front lot lines would include landscaping, bicycle parking and increased pedestrian space.
- All of the on-site accessory parking would be located within the building.

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

- The principal entrance for the residences would face 2<sup>nd</sup> Street Southeast and the principal entrance for the commercial space would face Central Avenue Southeast.
- All principal entrances would be clearly defined and emphasized through the use of floor-to ceiling windows and awnings.

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

- The building walls provide architectural detail and contain windows in order to create visual interest.
- The proposed building emphasizes architectural elements – including recesses, projections, windows, and building materials – to divide the building into smaller identifiable sections.
- The walls of the above grade parking levels on the north, east and south sides of the building, the east facing wall of the amenity level, and the walls of the mechanical penthouse on the east, west and north sides would have blank, uninterrupted walls exceeding 25 feet in length. Alternative compliance is required for these walls. The rest of the building would comply with this standard.

##### **Exterior materials – Requires alternative compliance**

- The applicant is proposing brick, stone, architectural precast panels, metal panels, and glass as the building's primary exterior materials. Each elevation would comply with the City's durability standards for exterior materials (see Table 1). Please note that exterior material changes at a later date may require review by the Planning Commission and an amendment to the site plan review.
- The building design is consistent with the City's policy of allowing no more than three exterior materials per elevation, excluding windows, doors, and foundation materials when the standard is

applied to each module of the building. The podium would have three exterior materials: brick, stone and metal. The tower would have three primary exterior materials: curtain wall glass, precast concrete and metal panel.

- Plain face concrete block is not proposed along any public streets, sidewalks, or adjacent to a residence or office residence district.
- All sides of the building are similar to and compatible with each other.

**Table 1. Percentage of Exterior Materials per Elevation**

Material	Allowed Max	North	South	East	West
Brick	100%	<100%	<100%	<100%	<100%
Glass	100%	<100%	<100%	<100%	<100%
Concrete	100%	<100%	<100%	<100%	<100%
Stone	100%	<100%	<100%	<100%	<100%
Metal Panel	75%	<75%	<75%	<75%	<75%

**Windows – Meets requirements**

- For residential uses, the zoning code requires that no less than 20 percent of the walls on the first floor, and no less than ten percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows. The project is in compliance with the minimum window requirements (see Table 2).
- For nonresidential uses, the zoning code requires that no less than 30 percent of the walls on the first floor are windows with clear or lightly tinted glass with a visible light transmittance ratio of six-tenths (0.6) or higher. In addition, at least 40 percent of the first floor façade of a nonresidential use facing a public street or sidewalk is required to be windows or doors with clear or tinted glass in the PO Pedestrian Oriented Overlay District. The project is in compliance with the minimum window requirement (see Table2).
- All windows are vertical in proportion and are evenly distributed along the building walls.

**Table 2. Percentage of Windows per Applicable Elevation**

	Code Requirement		Proposed	
<b>Residential Uses</b>				
1 <sup>st</sup> floor facing 2 <sup>nd</sup> St	20% minimum	224 sq. ft.	40.7%	456 sq. ft.
2 <sup>nd</sup> -5 <sup>th</sup> floors facing 2 <sup>nd</sup> St	10% minimum	186 sq. ft.	25.2%	468 sq. ft.
6 <sup>th</sup> floor and above facing 2 <sup>nd</sup> St	10% minimum	112 sq. ft.	Greater than 10%	
2 <sup>nd</sup> floor and above facing Central Ave	10% minimum	166 sq. ft.	Greater than 10%	
<b>Nonresidential Uses</b>				
1 <sup>st</sup> floor facing Central Ave	40% minimum	556.8 sq. ft.	67%	928 sq. ft.
1 <sup>st</sup> floor facing 2 <sup>nd</sup> St	40% minimum	147.2 sq. ft.	73.9%	272 sq. ft.

**Ground floor active functions – Requires alternative compliance**

- At least 70 percent of the first floor building frontage facing the public street, public sidewalk, or public walkway must contain active functions. The ground floor facing Central Avenue Southeast

contains 90 percent active functions and the ground floor facing 2<sup>nd</sup> Street contains 68.8 percent active functions. Alternative compliance is required.

**Roof line – Meets requirements**

- The principal roof line of the building will be flat, which is similar to that of surrounding buildings.

**Parking garages – Meets requirements**

- All of the proposed parking is enclosed within the building.
- Sloped floors do not dominate the appearance of the walls on the parking garage, and vehicles would be screened from view.

**ACCESS AND CIRCULATION**

**Pedestrian access – Meets requirements**

- There would be clear and well-lit walkways at least four feet in width connecting building entrances to the adjacent public sidewalks. To facilitate pedestrian access between the public sidewalk and the primary residential entrance, the applicant is proposing to utilize high-quality materials and design techniques in the porte cochere in order for the interior of the building lobby to flow out to the drop-off zone, similar to the Carlisle and Latitude 45 projects.

**Transit access – Not applicable**

- No transit shelters are proposed as part of this development.

**Vehicular access – Meets requirements**

- Vehicular access and circulation has been designed to minimize conflicts with pedestrian traffic and with surrounding residential uses. Most vehicle access would occur from 2<sup>nd</sup> Street. The west curb cut for the porte cochere would be limited to 14 feet in width. All maneuvering would occur on-site. All loading functions would occur within the building. The site is not adjacent to any residential uses.
- The entrance for the enclosed parking and the porte cochere has been consolidated.
- There are no public alleys adjacent to the site.
- The service drive access on Central Avenue is only an entrance. There will be two small loading spaces on the site. They will be accessed from the curb cut along Harvard Street Southeast. All maneuvers affiliated with the loading spaces will occur on site.
- There is no maximum impervious surface requirement in the C2 zoning district. According to the materials submitted by the applicant, 93.4 percent of the site will be impervious, while 84.6 percent of the existing site is impervious. Although on-site impervious surfaces would increase, the applicant is proposing to establish a landscaped boulevard along Central Avenue where there currently isn't one.

**LANDSCAPING AND SCREENING**

**General landscaping and screening – Requires alternative compliance**

- The overall composition and location of landscaped areas complement the scale of development and its surroundings.
- At least 20 percent of the site not occupied by the building is required to be landscaped. The applicant is proposing approximately 2,280 square feet of landscaping on site, or approximately 53 percent of the site not occupied by the building (see Table 3).

- The applicant is not proposing at least one canopy tree per 500 square feet of the required landscaped area, including all required landscaped yards. The tree requirement for the site is 2 and the applicant is not proposing any trees. Alternative compliance is required.
- The applicant is not proposing at least one shrub per 100 square feet of the required landscaped area, including all required landscaped yards. The shrub requirement for the site is 9 and the applicant is not proposing any shrubs. Alternative compliance is required.

**Table 3. Landscaping and Screening Requirements**

	<b>Code Requirement</b>	<b>Proposed</b>
<b>Lot Area</b>	--	34,762 sq. ft.
<b>Building Footprint</b>	--	30,436 sq. ft.
<b>Remaining Lot Area</b>	--	4,326 sq. ft.
<b>Landscaping Required</b>	865.2 sq. ft.	2,280 sq. ft.
<b>Canopy Trees (1:500 sq. ft.)</b>	2 trees	0 trees
<b>Shrubs (1:100 sq. ft.)</b>	9 shrubs	0 shrubs

**Parking and loading landscaping and screening – *Not applicable***

- There is no surface parking proposed for the site, so the site is not subject to the screening and landscaping requirements for parking areas per section 530.170.

**ADDITIONAL STANDARDS**

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

- There are no surface parking spaces proposed on the site.

**Site context – *Meets requirements***

- The site is located in the Saint Anthony Falls Historic District, is across the street from a public park and is near the Mississippi River. A contributing building to the district, the former Pillsbury Library, is located on the adjacent property to the north. The height of the proposed building would block views of the landmark from this location. However, a four-story building would also block views of the library building since it is only one story in height. In addition, the Mississippi River is located southwesterly of the site. While the park and the river are located nearby, the building would not impede any significant views. It should be noted that the intent of the standard is to preserve public view corridors, not to preserve individual views from private developments.
- The applicant submitted a shadow study depicting shadowing impacts in the morning, at noon, and in the evening on the Spring and Fall equinox and on the Summer and Winter solstice. The shadow studies indicate that the proposed building would cast shadows on surrounding residential properties to the east, north and west and Chute Square to the northwest; however, the shadowing impacts would not be significant given the context of the area and would not shadow any one property throughout the day. The closest solar energy system is over three blocks away from the subject site and would not be shadowed by the building.
- This building has been designed with recesses and projections which should help minimize the generation of wind currents at ground level. A boulevard with canopy trees would be established along Central Avenue as well.
- Because the site is near the Mississippi River, it is believed that the building would be in the flight zone of many migratory birds. As noted in peer city research, the most hazardous areas of all buildings, especially during the day and regardless of overall height, is the first 60 feet as measured

from the ground. Here, birds are most likely to fly into glazed facades that reflect surrounding vegetation, sky, and other attractive features.<sup>1</sup> CPED staff is recommending that the applicant be required to work with staff to identify areas on the first 60 feet of the building where bird-safe glazing should be incorporated.

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

- The site plan employs 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 proposed site, landscaping, and buildings promote natural observation and maximize the opportunities for people to observe adjacent spaces and public sidewalks. An abundant amount of windows would be provided on both street facing sides of the building as well as on the interior facing sides of the building as allowed by the building code.
- The project provides lighting on site, at all building entrances, and along walkways that maintains a minimum acceptable level of security while not creating glare or excessive lighting of the site.
- The landscaping, sidewalks, lighting, fencing, and building features are located to clearly guide pedestrian movement on or through the site and to control and restrict people to appropriate locations.
- The entrances, exits, signs, fencing, landscaping, and lighting are located to distinguish between public and private areas, to control access, and to guide people coming to and going from the site. The recessed porte cochere indicates a semi-public area.

#### **Historic preservation – Meets requirements**

- The site is located in the Saint Anthony Falls Historic District. Both existing buildings are proposed to be demolished. The City Council has authorized the demolition.

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

The proposed uses are permitted in the C2 Neighborhood Corridor Commercial District.

#### **Off-street Parking and Loading – Meets requirements**

- The minimum vehicle parking requirement for a sit down restaurant is 1 space per 500 sq. ft. of GFA up to 2,000 sq. ft. + 1 space per 300 sq. ft. of GFA in excess of 2,000 sq. ft. The proposed restaurant space is approximately 6,500 square feet in area. The maximum parking requirement is equal to 1 space per 75 sq. ft. of GFA. In the PO overlay district, the minimum and maximum off-street parking requirement for nonresidential uses is 75 percent of the minimum and maximum requirement specified in Chapter 54I, Off-Street Parking and Loading. The applicant has provided a letter of intent to lease parking from the adjacent ramp with a response from the ramp representative stating that the ramp has available space and is willing to negotiate a lease when such parking is needed. The off-site parking location for the restaurant is allowed. Prior to issuance of the business license for the restaurant, proof of a parking lease will need to be provided.
- With a floor area of 6,500 square feet, the sit down restaurant is required to provide adequate shipping and receiving facilities, accessible by motor vehicle off any adjacent alley, service drive or open space on the same zoning lot. Adequate shipping and receiving facilities are accommodated in the enclosed receiving area.
- The minimum vehicle parking requirement for a multiple-family dwelling located in the UA overlay district is one-half (½) parking space per bedroom. Residential uses are required to provide at

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<sup>1</sup> Standards for Bird-Safe Buildings, San Francisco Planning Department, July 14, 2001.

least one (1) bicycle or motorized scooter parking space per one (1) bedroom. There are 384 bedrooms proposed. The location of the long-term bicycle parking will need to be clearly indicated on the final plans.

- With more than 100 units but less than 250 units, a least one small loading space is required.

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

Use	Minimum	Reductions	Total with Reductions	Maximum Allowed	Proposed
Sit down restaurant	19	5	14	65	At least 14 leased off-site
Residential Dwellings	192	0	192	No maximum for enclosed parking	389 (including 69 tandem spaces)
	<b>211</b>	<b>(5)</b>	<b>206</b>	<b>--</b>	<b>389 on-site</b>

**Table 5. Bicycle Parking Requirements (Chapter 541)**

Use	Minimum	Short-Term	Long-Term	Proposed
Sit down restaurant	3	Not less than 50%	--	19 short-term
Residential Dwellings	384	--	Not less than 90%	384 long-term and 3 short-term bicycle
	<b>387</b>	<b>2</b>	<b>346</b>	<b>406</b>

**Table 6. Loading Requirements (Chapter 541)**

Use	Loading Requirement	Minimum Requirement	Proposed
Sit down restaurant	Low	Adequate shipping and receiving facilities	2 Small
Residential Dwellings	--	1 Small	
		<b>1 Small+</b>	<b>2 Small</b>

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

- The applicant has applied for a conditional use permit to increase the maximum height from 4 stories or 56 feet to 42 stories or 483 feet, 4 inches (see Table 7). The mechanical level is considered two stories because the elevator overrun is greater than 14 feet in height.
- The applicant has applied for a variance to increase the maximum floor area ratio (FAR) from 2.04 to 14.42.

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

	Code Requirement	Bonuses	Total	Proposed
Lot Area	--	--	--	34,762 sq. ft. / .8 acres

<b>Gross Floor Area</b>	--	--	--	501,275 sq. ft.
<b>Floor Area Ratio (Minimum)</b>	--	--	--	14.42
<b>Floor Area Ratio (Maximum)</b>	1.7	+ .34 for enclosed parking	2.04	
<b>Building Height (Maximum)</b>	4 stories or 56 ft., whichever is less	--	4 stories or 56 ft., whichever is less	42 stories or 483 ft. 4 in.

**Lot Requirements – Meets requirements**

**Table 8. Lot Requirements Summary**

	<b>Code Requirement</b>	<b>Proposed</b>
<b>Dwelling Units (DU)</b>	--	214 DUs
<b>Density (DU/acre)</b>	--	268.2 DU/acre
<b>Lot Area (Minimum)</b>	Not applicable	162.4 sq. ft. per DU
<b>Impervious Surface Area (Maximum)</b>	Not applicable	93.4%
<b>Lot Coverage (Maximum)</b>	Not applicable	87.5%
<b>Lot Width (Minimum)</b>	Not applicable	200 ft.

**Yard Requirements – Meets requirements**

**Table9. Minimum Yard Requirements**

<b>Setback</b>	<b>Zoning District</b>	<b>Overriding Regulations</b>	<b>Total Requirement</b>	<b>Proposed</b>
<b>Front</b> (2 <sup>nd</sup> St SE)	0 ft.	--	0 ft.	6 ft. or more
<b>Corner side</b> (Central Ave SE)	0 ft.	--	0 ft.	8 ft. or more
<b>Interior Side</b> , walls with no residential windows (East)	0 ft.	--	0 ft.	5.5 ft.
<b>Interior Side</b> , walls with residential windows (East)	15 ft.	--	15 ft.	More than 70 ft.
<b>Rear</b> , walls with no residential windows (North)	0 ft.	--	0 ft.	1.4 ft. or more
<b>Rear</b> , walls with residential windows (North)	15 ft.	--	15 ft.	15 ft. or more

**Signs – Not applicable**

- Signs are subject to the requirements of Chapter 543, On-Premise Signs.
- In the PO Pedestrian Oriented Overlay District, pole signs, backlit awning and canopy signs and backlit insertable panel projecting signs are prohibited.
- At this time, no signage is proposed.

**Screening of Mechanical Equipment – Meets requirements**

- All mechanical equipment would be screened according to the screening requirements of Chapter 535 of the zoning code. An enclosure would screen the rooftop mechanical equipment. Transformers on the ground level would be enclosed in the building.

**Refuse Screening – Meets requirements**

- All refuse and recycling storage containers are located within the building.

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

- Existing and proposed lighting must comply with Chapter 535 and Chapter 541 of the zoning code.
- A lighting plan showing footcandles was not submitted as part of the application materials. CPED is recommending that the final lighting plan conform to the standards of Chapter 535, Regulations of General Applicability.

**Fences – Not applicable**

- Fences must comply with the requirements in Chapter 535. No fences are proposed.

**Specific Development Standards – Meets requirements**

- For a sit down restaurant, the premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for purposes of removing any litter found thereon.

**PO Pedestrian Oriented Overlay District Standards – Requires variance(s)**

- Drive-through facilities, automobile services uses, and transportation uses are prohibited. Fast food restaurants are only allowed in storefront buildings. These uses are not proposed.
- The applicant has applied for a variance to allow the first floor of the building to be located more than eight feet from the front property lines along Central Avenue Southeast and 2<sup>nd</sup> Street Southeast in the PO Pedestrian Oriented Overlay District. Amenities are also required between the building and lot lines adjacent to a street. Where the first floor of the building would not be built up to the street, the applicant would provide a wider sidewalk, landscaping and a porte cochere.
- At least one principal entrance must face the street. A principal entrance would face both Central Avenue and 2<sup>nd</sup> Street.
- At least 40 percent of the first floor façade of any nonresidential use that faces a public street or sidewalk must be windows or doors of clear or lightly tinted glass that allows views into and out of the building at eye level. Windows must be distributed in a more or less even manner. Required windows are measured between two and 10 feet above the finished level of the floor. The amount of windows proposed on each of the first floor Central Avenue and 2<sup>nd</sup> Street elevations would greatly exceed 40 percent of the wall area. These windows would be more or less evenly distributed, allow views into and out of the building at eye level, and would have clear glass.
- Awnings and canopies are encouraged, but backlit awnings and canopies are prohibited. Awnings are proposed.

- Pole signs, backlit awning and canopy signs, and backlit insertable panel projecting signs are prohibited. These types of signs are not proposed.
- Accessory parking is required to be located at the rear or interior of the site, within the building, or entirely below grade. Most of the parking would be enclosed in the building. The porte cochere would be located between the first floor of the building and 2<sup>nd</sup> Street.

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

*The Minneapolis Plan for Sustainable Growth* identifies the site as Mixed Use on the future land use map. In addition to the policies included in the conditional use permit section of this report, the proposed development is consistent with the following principles and policies outlined in the comprehensive plan:

**Land Use Policy I.12: Support Activity Centers by preserving the mix and intensity of land uses and by enhancing the design features that give each center its unique urban character.**

- I.12.2 Encourage mixed use buildings, with commercial uses located on the ground floor and secure entrances for residential uses.
- I.12.4 Discourage uses that diminish the transit and pedestrian character of Activity Centers, such as automobile services, surface parking lots, and drive-through facilities.
- I.12.5 Encourage a height of at least two stories for new buildings in Activity Centers, in keeping with neighborhood character.
- I.12.6 Encourage the development of high- to very-high density housing within the boundaries of Activity Centers.

**Land Use Policy I.3: Ensure that development plans incorporate appropriate transportation access and facilities, particularly for bicycle, pedestrian, and transit.**

- I.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.
- I.3.2 Ensure the provision of high quality transit, bicycle, and pedestrian access to and within designated land use features.
- I.3.3 Encourage above-ground structured parking facilities to incorporate development that provides active uses on the ground floor.

**Land Use Policy I.4: Develop and maintain strong and successful commercial and mixed use areas with a wide range of character and functions to serve the needs of current and future users.**

- I.4.2 Promote standards that help make commercial districts and corridors desirable, viable, and distinctly urban, including: diversity of activity, safety for pedestrians, access to desirable goods and amenities, attractive streetscape elements, density and variety of uses to encourage walking, and architectural elements to add interest at the pedestrian level.
- I.4.4 Continue to encourage principles of traditional urban design including site layout that screens off-street parking and loading, buildings that reinforce the street wall, principal entrances that face the public sidewalks, and windows that provide “eyes on the street”.

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

**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.

**Heritage Preservation Policy 8.1: Preserve, maintain, and designate districts, landmarks, and historic resources which serve as reminders of the city's architecture,**

- 8.1.2 Require new construction in historic districts to be compatible with the historic fabric.

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

- 10.4.1 Maintain and strengthen the architectural character of the city's various residential neighborhoods.
- 10.4.2 Promote the development of new housing that is compatible with existing development in the area and the best of the city's existing housing stock.

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

- 10.6.4 Orient buildings and building entrances to the street with pedestrian amenities like wider sidewalks and green spaces.
- 10.6.5 Street-level building walls should include an adequate distribution of windows and architectural features in order to create visual interest at the pedestrian level.
- 10.6.6 Integrate transit facilities and bicycle parking amenities into the site design.

**Urban Design Policy 10.9: Support urban design standards that emphasize traditional urban form with pedestrian scale design features at the street level in mixed-use and transit-oriented development.**

- 10.9.1 Encourage both mixed-use buildings and a mix of uses in separate buildings where appropriate.
- 10.9.2 Promote building and site design that delineates between public and private spaces.
- 10.9.4 Coordinate site designs and public right-of-way improvements to provide adequate sidewalk space for pedestrian movement, street trees, landscaping, street furniture, sidewalk cafes and other elements of active pedestrian areas.

**Urban Design Policy 10.16: Design streets and sidewalks to ensure safety, pedestrian comfort and aesthetic appeal.**

- 10.16.1 Encourage wider sidewalks in commercial nodes, activity centers, along community and commercial corridors and in growth centers such as Downtown and the University of Minnesota.
- 10.16.2 Provide streetscape amenities, including street furniture, trees, and landscaping, that buffer pedestrians from auto traffic, parking areas, and winter elements.

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

- 10.18.6 The ground floor of parking structures should be designed with active uses along the street walls except where frontage is needed to provide for vehicular and pedestrian access.

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

The City Council approved the *Marcy-Holmes Neighborhood Master Plan* in 2014. In the plan, the site falls in the Riverfront Character Area. The goal of the plan for this area is to “Expand and improve riverfront parks, improve connectivity, balance local and regional access and use, create bike- and walk-friendly environments on 2nd Street Southeast, and embrace diversity of building uses and eras.” The plan indicates that higher density residential development is appropriate at this location because it is along a transit and transportation corridor and near a commercial center. The proposed development is also consistent with the following principles and policies outlined in the small area plan:

- Create a neighborhood-oriented experience and environment along University Avenue SE and 2nd Street SE.
- Improve the 2nd Street SE building frontage and pedestrian environment.
- Encourage infill development with green space, a mix of housing types, and connectivity with the Mississippi River.

#### **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 placement.** The first floor of the building would be located 8 feet from the property line along Central Avenue Southeast, except where the service drive would be located and the wall would be set back 12 feet. The first floor of the building would be located 6 feet along 2<sup>nd</sup> Street Southeast, except where the wall would be set back to accommodate the porte cochere and access to the enclosed parking. This area of the building would be set back 32 to 48 feet. A variance of the PO overlay district standards are also required to allow the first floor building walls to be located more than 8 feet from a lot line adjacent to a street. CPED is recommending that the City Planning Commission (CPC) approve the variance and grant alternative compliance for the reasons described in the variance findings above.
- **Blank walls.** The walls of the above grade parking levels on the north, east and south sides of the building, the east facing wall of the amenity level, and the walls of the mechanical penthouse level on the east, west and north sides would have blank, uninterrupted walls without architectural details exceeding 25 feet in length.
  - **Parking and amenity level:** A green screen is proposed on the north facing service drive wall as an alternative to meeting the standard. Where blank for more than 25 feet, the walls of the parking levels on the north and east sides of the building and the amenity level would have limited visibility from the public streets. The east wall would be located 14 feet from the adjacent parking ramp that is taller than the proposed wall. The blank north wall would be setback 120 feet from Central Avenue and 150 feet from University Avenue. To break up the overall massing, brick is proposed on the first floor, stone on the second and third floors and wood textured metal panel on the fourth floor. On the south elevation, the walls adjacent to the second and third parking levels do not meet this standard. Where stone is proposed, the applicant would use both smooth and textured blocks to accomplish a subtle architectural effect. Adding more changes in materials would not be compatible with the

character of the historic district, which is defined by having one primary exterior material. For these reasons, CPED staff is recommending that the CPC grant alternative compliance.

- **Mechanical penthouse:** The mechanical penthouse is located on the 41<sup>st</sup> level. The walls would be recessed 8 to 16 feet from the walls of the tower below. The parapet wall surrounding the mechanical level would further reduce visibility. Because visibility of these walls would be very limited, CPED is recommending that the CPC grant alternative compliance.
- **Active functions.** At least 70 percent of the first floor building frontage facing the public street, public sidewalk, or public walkway shall contain active functions. The ground floor facing 2<sup>nd</sup> Street Southeast contains 68.8 percent active functions. The access point to the enclosed parking and a bike storage room would be located on 2<sup>nd</sup> Street Southeast. There will be windows looking into the bike storage room. Ninety percent of the ground floor facing Central Avenue Southeast would be active. CPED is recommending that the City Planning Commission grant alternative compliance.
- **General landscaping and screening.** The landscaping requirements for the development are 865 square feet of green space, 2 trees and 9 shrubs. The applicant is proposing 2,280 square feet of landscaping, but no trees or shrubs. Much of the area to be landscaped is located where the building would be set back only a few feet from interior lot lines making planting trees or shrubs impractical. However, the applicant is proposing to establish a landscaped boulevard with 4 canopy trees along Central Avenue where there currently is none. A variety of perennials would be planted in the landscaped areas between the building and the public sidewalk as well as the street boulevards. With the alternatives proposed, CPED is recommending that the City Planning Commission grant alternative compliance.

## RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt staff findings for the applications by Alatus, LLC for the properties located at 200 Central Ave SE and 113 2nd St SE:

### A. Conditional Use Permit to increase the height of the building.

Recommended motion: **Approve** the application to increase the maximum height of the building from 4 stories or 56 feet to 42 stories or 483 feet 4 inches, subject to the following conditions:

- I. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within two years of approval.

### B. Variance to increase the maximum floor area ratio (FAR).

Recommended motion: **Approve** the application to increase the maximum floor area ratio (FAR) from 2.04 to 14.42.

### C. Variance of the PO Pedestrian Oriented Overlay District.

Recommended motion: **Approve** the application to allow the first floor of the building to be located more than eight feet from the front property lines along Central Avenue Southeast and 2<sup>nd</sup> Street Southeast in the PO Pedestrian Oriented Overlay District.

**D. Site Plan Review.**

Recommended motion: **Approve** the application for a new mixed-use building including 214 dwelling units and 6,500 square feet of commercial space, subject to the following conditions:

1. At least one principal entrance for the commercial space shall face Central Avenue Southeast.
2. The applicant shall work with CPED staff to identify areas on the first 60 feet of the building where bird-safe glazing should be incorporated.
3. All site improvements shall be completed by August 25, 2016, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
4. CPED staff shall review and approve the final site, elevation, landscaping, and lighting plans before building permits may be issued.

**ATTACHMENTS**

1. PDR report
2. Zoning map
3. Written description and findings submitted by applicant
4. Travel Demand Management Plan
5. Survey
6. Civil drawings
7. Landscape plan
8. Site plan
9. Context images
10. Building perspectives
11. Shadow studies
12. Exterior materials
13. Floor plans
14. Elevations
15. Plan details
16. Comments received