

Steiner, Lisa

From: Saralyn Romanishan <sararomanishan@yahoo.com>
Sent: Friday, October 14, 2016 3:39 PM
To: Steiner, Lisa
Cc: Bender, Lisa; Kusz, Lisa M.; Council Comment
Subject: Marquee Apts BZZ-7922

Follow Up Flag: Follow up
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To: Lisa Steiner, Planner
lisa.steiner@minneapolismn.gov
Cc. CM Lisa Bender
Lisa.bender@minneapolismn.gov
Cc. CM Lisa Kusz
Lisa.kusz@minneapolismn.gov
Cc. councilcomment@minneapolismn.gov

**Re: Theatre Garage Marquee Apartments, 2004, 2008, 2012, 2014 and 2018 Lyndale Ave S,
Ward 10
BZZ-7922**

I am writing this letter as a resident of and property owner on the block affected by this development proposal. Please place it in the public record for consideration.

The developer is requesting the following variances and CUP:

A. Rezoning.

Application for a rezoning of the properties located at 2008, 2012, 2014, and 2018 Lyndale Ave S from the C1 District to the C2 District.

B. Conditional use permit.

Application for an increase in maximum height from 4 stories or 56 feet to 6 stories or 69 feet, 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.

C. Variance to increase the maximum floor area ratio.

Application for a variance of the maximum floor area ratio from 2.38 to 3.00.

D. Variance to reduce the required rear yard setback.

Application for a variance of the required rear yard from 15 feet to 3 feet, subject to the following conditions:

1. The parking garage walls shall be screened with year-round landscaping, as shown on the submitted plans.

E. Variance to reduce the required south interior side yard setback.

Application for a variance of the required side yard from 15 feet to 3 feet.

F. Site plan review.

Application for a six-story, mixed-use building with 113 dwelling units and approximately 8,000 sq. ft. of commercial space, subject to the following conditions:

1. All site improvements shall be completed by November 18, 2018, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
2. CPED staff shall review and approve the final site, elevation, landscaping, and lighting plans before building permits may be issued.
3. The metal mesh for growing vines shall be installed as shown on the south and west elevations. The proposed shrubs shall be incorporated in final plans to ensure that the west elevation is adequately screened year-round.
4. Non-residential ground floor windows shall have clear or lightly tinted glass with a visible light transmittance ratio of six-tenths (0.6) or higher.
5. All new signs are required to meet the requirements of Chapter 543 of the zoning code and separate approvals shall be obtained from CPED.
6. The proposed chain link fence in the southwest corner of the site shall be vinyl-coated. A decorative fence is encouraged.

I am *opposed* to these variances, the CUP, and certain items in the site plan review as they are described in the staff documents:

<http://www.ci.minneapolis.mn.us/www/groups/public/@cped/documents/webcontent/wcmsp-188022.pdf>

Variations

The west side setback is invasive to the adjacent single family homes and the south side setback is too close to the commercial building next door. The south side setback creates a small, dark alley that decreases safety and security while diminishing local air quality and movement to the already distressed area. In addition, there is *NO* alley to separate the residences from the new building. I also have a question; how do emergency responders have access to the south and west sides of the building?

CUP

6 stories are too high and unbalanced for the area proposed for. Also, the guidelines passed by majority vote in the neighborhood request no higher than 4 stories on the commercial corridor (see below). I find the livability issues in these guidelines extremely important.

Site Plan Review

Underground Garage

- The driving of the pilings and subsequent damage to structures within a block of the construction on an unstable hill are extremely concerning. This will effect more than adjacent structures covered by their insurance.
- I also have concern for runoff and the impact on the water table. What are the plans in place to mitigate this?
- There is still no plan for exhaust. Where is it supposed to go? And why is this not already in the plan?

Patio

- The patio is 15' from grade in the residential backyards with a 4 foot fence above.
- It is planned to be communal, which *will* become a party patio (this is not a family oriented building).
- There is a plan for fire pits on the patio. Did you know that this is directly in line with all of our 2nd and 3rd story windows? The smoke cannot be allowed to enter our homes. My mother lives with me and she has serious health issues including asthma and recurring bronchitis. This is not safe for the residents of our block.
- Noise will be a very big issue coming from the patio.
- Safety and security is an even bigger issue than noise and smoke.
 - Jumping from building to building is a concern
 - Thrown and falling items into the residential yards on the west side

Design

- All 4 corners of the intersection are currently buildings of good quality solid brick, as are all of the buildings within a block on Franklin Ave. This building's design does not fit into the surrounding neighborhood in any way.

Also, how will the proposed Pedestrian Overlay rezoning effect this plan?

Once again, the city is adding "ant farm" units of housing that are not affordable. I feel that CPED, the City Planning Commission, and the City Council have completely lost sight of what is "livable" and what makes for "quality of life" for the residents of this city. I believe that it is time to make the residents and their environment the only priority. Please deny the CUP and variances and send this plan back to CPED for review and adjustment.

In conclusion, if the plan is passed, I request that the city require a large bond guarantee. If the buildings are torn down but something happens with the developer's finances (the city has already sued him once; <http://www.startribune.com/metro-briefs-minneapolis-city-council-authorizes-lawsuit-against-developer-over-loan/271532761/> and there are multiple other instances where he has appeared in the news; <http://www.startribune.com/developers-delay-and-neighbors-in-minneapolis-feel-the-pain/19476564/> & <http://dailyreporter.com/2010/07/28/developers-hammer-minneapolis-fees-for-stalled-projects/>), I would like assurance that a good quality building will be placed on the empty lot in a timely manner.

Thank you for your consideration of a vital livability issue,

Saralyn Romanishan
2111 Aldrich Ave S
Minneapolis, MN 55405

**Lowry Hill East Neighborhood Association (LHENA)
Neighborhood Developer Guidelines**

The Lowry Hill East Neighborhood Association believes that good development is development that fits within the context of our defined neighborhood character and is constructed with the combined cooperation of neighborhood residents and developers to design and build the best projects possible.

Following are the results of the formation of a neighborhood Housing and Development Taskforce and extensive public outreach through research and surveys.

The character of the Lowry Hill East (Wedge) Neighborhood as it has been defined by our neighborhood:

Our neighborhood has myriad facets to its character. We are a welcoming community comprised of creative and eclectic residents and businesses. This neighborhood is uniquely situated in the city of Minneapolis with one of the highest walkability scores, is bicycle friendly, has abundant access to mass transit, and an active day/nightlife in a progressive yet historic neighborhood setting. We proudly encourage viable sustainability in all aspects of our public and private spaces including our natural and built environments. Our local streetscapes must be safe but dynamic and provide a desirable sense of place and home.

Guidelines

The Built Environment

1. Create buildings suitable for a range of ages and family size.
2. Wherever feasible, incorporate front porches as a tie-in to the existing housing stock.
3. On larger multi-family (commercial) buildings, large doors should be incorporated that open to give tenants a connection to the street and their neighbors.
4. Provide doors and windows facing the street on commercial corridors to animate and increase visual interest.
5. Develop flexibly designed first floor retail and business space able to accommodate large and small businesses.
6. Plan mixed use for buildings on commercial corridors.
7. Finish front and sides of new construction with the same quality building materials.
8. Use high quality building materials such as stone or dark brick, with judicious use of steel, wood or glass to fit the context of nearby structures.
9. Ensure that the storage and removal of snow, garbage, and recycling materials is unobtrusive and does not block the street, alley, or side walk.

The Natural Environment and Sustainability

10. While we are transitioning to less car usage, parking is still necessary. Build parking structures able to accommodate change as usage warrants.
11. Developments should be encouraged to include space for rideshare vehicles.
12. Developments should be required to offer adequate and safe bike storage.
13. Avoid shading of neighboring roofs that have solar panels.
14. Incorporate environmental initiatives such as solar energy generation, efficient building materials and design including windows and doors, water conservation and retention features and noise minimization in development plans.
15. Give priority to green space designed for human and wildlife shared use.
16. Limit the amount of "buying out of green space" by a developer in which they can bypass the required green space for a development by paying a fee to the Park Board.

Building Height

The height of adjacent buildings is a primary consideration for new projects and additions in the neighborhood.

17. Commercial Corridors (Lyndale Ave, Franklin Ave, Lake St, Hennepin Ave) should be no higher than 4 Floors.

18. Neighborhood Interior (N. of 28th St, W. of Lyndale Ave, S. of Franklin Ave, E. of Hennepin Ave) should be no higher than the peaks of adjacent existing roofs.

19. Commercial Nodes (mixed use and retail intersections) should be no higher than the peaks of adjacent existing roofs.

Adopted May 2015

) October 13, 2016

To: Planning Commission, City of Minneapolis
CM Lisa Bender, Chair
Lisa Steiner, City Planner

Re: TGMA Proposal for Franklin-Lyndale

Request

Add one condition: that the venting system for the enclosed parking must not be directed either west nor south.

Summary

We live at 2105 Aldrich Ave. S., within the range for which notice of this hearing was required; the proposed garage will end opposite our neighbor's backyard, and will be visible from our own.

We appreciate the care that has gone into the staff report, and most particularly its concern about potential impacts on neighbors. We agree that the proposal is much improved from what was presented in 2014, and appreciate that the developer chose not to replicate that design but instead addressed many of the concerns from that year with this new vision.

) We particularly appreciate that CPED has considered the aesthetic implications of the parking wall given the reduced setback, and made landscaping design a *condition* of approval given effects on neighbors.

At this point, there are two potential results from the property that could be "injurious" as defined by authority. One is if the patio's proximity to neighboring properties creates unusual public noise. For this, we defer to the neighboring properties to comment. We do not know if they have concerns or, in fact, prefer the proposal to the current noise resulting from an open parking lot facing Lyndale (which allows both unblocked traffic noise as well as noise from the parking lot itself). From the picture, it appears that undue noise in the patio would create hardship for the building's own tenants, and thus the developer has its own incentive to mitigate excessive patio noise.

We could not find information relating to the parking lot venting. In 2014, the parking area had west facing openings, which did not receive proper CPED or CPC consideration for either light or air pollution. The new proposal's closed walls have now taken care of the light, but CPC would not be diligently applying standards under its authority if it didn't also quell any concerns about potential air pollution impacts; please therefore require that the venting be designed so as not to impact properties south or west.

Michael Friedman & Susan Hasti
2105 Aldrich Ave. S.

10/17/2016

Regarding Theater Garage Marquee Apartments

Dear Committee

I am the neighbor directly west of the proposed structure. Unfortunately, I cannot be there due to my health condition today.

I oppose the plan for 2 main reasons:

6 stories are too high and do not follow the neighborhood guidelines. I will lose significant light on my property. This building is so large and so close to my property that it will create significant shadows.

The western setback is too close as proposed. It will put my property at risk in case of fire and it creates an unsafe dark space for vagrant activities.

Please adhere to the community zoning plan as agreed to by the community.

Sincerely,

Pearl Baker

October 17, 2016

My name is Terri Burks

My husband and I live at 2115 Aldrich Avenue South, towards the south end of this block

We have been owners here for 24 years

Our home was built in 1898 and we have made substantial improvements to maintain and restore our home. Basically, we are very committed to this community and the quality of its neighboring buildings.

And, we appreciate the interest the builders are taking to invest in our corner. We just ask that it be done according to the current zoning.

We support the zoning that was developed by the city and the community leaders just a few years ago. The zoning was thoughtful and intentional. The property in question was zoned for 4 stories.

WE ARE OPPOSED TO 6 STORIES AND ZERO SETBACKS, because:

- Look out of place- not a single 6 story building on Franklin Ave from Hennepin Ave to Hiawatha
- Dwarf neighboring buildings
- Shadow streets and backyards
- Block neighbors' views
- Too close to property lines - creates unsafe space, hard to maintain
- No alleyways to buffer the properties from each other
- Proposed parking garage is right in neighbors' backyards
- Unstable soil could lead to neighbors' damage

If the developer were to propose a 4 story building, we would be open to considering other variance needs. We would remain opposed to diminishing set-back requirements to zero. There may be another option somewhere between zero and 15 feet that accomplishes safety, security, and green space.

Thank you for hearing our concerns. Please vote No for these variances.