

**Department of Community Planning and Economic Development – Planning
Division**

Rezoning, Conditional Use Permit, Variances, Site Plan Review
BZZ-3227

Date: October 30, 2006

Applicant: Aldrich Avenue, LLC, 2101 Hennepin Avenue South, Suite 107,
Minneapolis, MN 55405

Addresses of Property: 2501, 2505 and 2509 Aldrich Avenue South

Project Name: Aldrich Avenue Rowhouses

Contact Person and Phone: Room Inc., Donovan Nelson, 4706 Nicollet Avenue South,
Minneapolis, MN 55405, (612) 823-6025

Planning Staff and Phone: Becca Farrar, (612)673-3594

Date Application Deemed Complete: September 8, 2006

End of 60-Day Decision Period: November 6, 2006

End of 120-Day Decision Period: On October 5, 2006, Staff sent the applicant a letter
extending the decision period to no later than January 5, 2007.

Ward: 10 **Neighborhood Organization:** Lowry Hill East Neighborhood Assn.
(LHENA)

Existing Zoning: R2B (Two-family) District

Proposed Zoning: R4 (Multiple-family) District

Zoning Plate Number: 18

Lot area: 13,409 square foot or .30 acres

Legal Description: Lots 8, 9 and 10, Block 1, Twenty-Fifth Street Addition to Mpls

Proposed Use: Three-story, 9-unit residential condominium development.

Concurrent Review:

- Petition to rezone the subject parcels from the R2B district to the R4 district.
- Conditional Use Permit for 9 residential dwelling units in the R4 district.
- Variance of the corner side yard setback requirement from 12 feet to 8 feet along the north property line adjacent to 25th Street West.

- Variance of the rear yard setback requirement from 9 feet to 0 feet along the east property line adjacent to the alley.
- Variance of the required 22 foot minimum drive-aisle for maneuvering within the interior of the site to 16 feet.
- Variance of the minimum lot area per dwelling unit from 1,500 square feet to approximately 1,489 square feet (lot area variance of approximately 1% or 11 square feet per dwelling unit).
- Site Plan review for 9 residential dwelling units in a U-shaped, 3-story structure.

Applicable zoning code provisions: Chapter 525, Article VI Zoning Amendments, Chapter 525: Article VII Conditional Use Permits, Article IX, Variances and Chapter 530 Site Plan Review.

Background: Room Inc., on behalf of Aldrich Avenue, LLC, proposes to construct a 3-story, 9-unit condominium rowhouse development on the properties located at the southeast corner of 25th Street West and Aldrich Avenue South, at 2501, 2505 and 2509 Aldrich Avenue South. Enclosed parking would be provided in the first level of the attached row houses in tuck-under garages. The garages would be accessed via the alley on the east side of the site.

The properties are currently zoned R2B and are occupied by two duplex residential units. The applicant proposes to rezone the subject parcels to the R4 district which permits multi-family residential developments. A conditional use permit and site plan review are required for residential developments consisting of 5 or more units. The applicant is requesting a variance of the required corner side yard setback requirement from 12 feet to 8 feet along the north property line adjacent to 25th Street West and a variance of the rear yard setback requirement from 9 feet to 0 feet along the east property line adjacent to the alley. The applicant is also requesting a variance of the required 22 foot minimum drive-aisle for maneuvering within the interior of the site to 16 feet, as well as a variance of the minimum lot area per dwelling unit from 1,500 square feet to 1,489 square feet per dwelling unit.

Staff has received official correspondence from the Lowry Hill East Neighborhood Association (LHENA). The LHENA Board voted to not support the project. The letter has been attached for reference as has all other correspondence received regarding the project.

REZONING

Findings As Required By The Minneapolis Zoning Code for the Rezoning Application:

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

The subject properties are located a half block off of Lyndale Avenue South which is a Commercial Corridor. The following policies are relevant to the proposed development.

Relevant policy: **9.5.** Minneapolis will support the development of residential dwellings of appropriate form and density.

Relevant Implementation Steps:

- Promote the development of well designed moderate density residential dwellings adjacent to one or more of the following land use features: Growth Centers, Commercial Corridors, Community Corridors and Activity Centers.

The project would incorporate moderate density adjacent to a Commercial Corridor.

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

The amendment is clearly in the interest of the property owner. It would allow the applicant to construct a 9-unit condominium development, instead of the allowable single family or two-family dwellings permitted under the existing zoning classification of R2B. However, adopted policies in the comprehensive plan indicate that there is a public interest associated with adding housing capacity in along and adjacent to major corridors such as Lyndale Avenue South which is located a half block away from the subject parcels. Further, Lyndale Avenue South is served by a bus route.

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 properties are located a half block off of Lyndale Avenue South, which is a designated Commercial Corridor in this area. Generally, the properties in the immediate vicinity are zoned a mix of R2B and R6 along Aldrich Avenue South and 25th Street West with OR1, C1 and R6 located adjacent to the properties along Lyndale Avenue South. The majority of the properties located in the area and on this specific block are zoned R2B.

While Staff is aware that no R4 zoning is located on the block face in question the proposed multi-family use of the subject site would seem appropriate given the proximity of the properties to a Commercial Corridor. The R4 zoning classification could be deemed compatible with the surrounding zoning and land uses as it would provide a medium density transition area from the commercial

and residential uses lining Lyndale Avenue South with the single and two-family uses which predominantly surround the site.

- 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 properties permitted under the existing R2B zoning classification as either single family or two-family dwelling units.

- 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.**

Under the 1963 Zoning Code, the subject properties were zoned R2B. Duplex or single-family structures could be constructed on the property, however; construction of a multi-family residential building would provide a transition from the commercial and multi-family residential uses in the area as well as the zoning classifications lining Lyndale Avenue South with the predominantly single and two-family dwellings located in the vicinity.

CONDITIONAL USE PERMIT - for 9 residential dwelling units

Findings as Required by the Minneapolis Zoning Code:

The Department of Community Planning and Economic Development – Planning Division has analyzed the application and from the findings above concludes that the establishment, maintenance, or operation of the proposed conditional use:

- 1. Will not be detrimental to or endanger the public health, safety, comfort or general welfare.**

Development of a 3-story, 9-unit residential condominium development would likely not have negative impacts on the area. There are several residential developments located within the general area that are multi-family and Staff believes that a residential development of moderate density would be compatible with the uses in the area. The project would likely not be detrimental to or endanger the public health, safety, comfort or general welfare.

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

The site is currently occupied by two dilapidated duplexes. Staff would not expect that a three-story, 9-unit owner occupied condominium building in an R4 district would be injurious to the use and enjoyment of other property in the vicinity and would likely not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district. There are several other multi-family developments located within the general vicinity.

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

The site would be accessed via the alley on the east side of the property. The applicant proposes to locate a U-shaped driveway off of the alley on the east side of the site which would enter to the ground level tuck-under parking garages for the proposed development. There is no surface parking proposed with this project. The Public Works Department will review the preliminary and final plan for compliance with standards related to access and circulation, drainage, and sewer/water connections.

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

The project would comply with the minimum number (9) of required off-street parking spaces. The applicant is proposing to provide 13 off-street parking spaces on site. All parking spaces would be located in tuck-under garages at the ground level of the residential units within the proposed development.

5. Is consistent with the applicable policies of the comprehensive plan.

The conditional use permit to allow 9 units of housing in a condominium development is consistent with the relevant provisions of the Minneapolis Plan, as follows:

Relevant policy: **9.5.** Minneapolis will support the development of residential dwellings of appropriate form and density.

Relevant Implementation Steps:

- Promote the development of well designed moderate density residential dwellings adjacent to one or more of the following land use features: Growth Centers, Commercial Corridors, Community Corridors and Activity Centers.

The proposed conditional use permit would allow residential development of moderate density in close proximity to Lyndale Avenue South, a Commercial Corridor.

6. And, does in all other respects conform to the applicable regulations of the district in which it is located upon approval of this conditional use permit, the rezoning request, relevant variances, and site plan review.

If all land use/zoning applications are approved including a rezoning, conditional use permit, variances and site plan review, the proposal would comply with all provisions of the R4 District.

VARIANCE – (1) Variance of the corner side yard setback requirement from 12 feet to 8 feet along the north property line adjacent to 25th Street West; (2) Variance of the rear yard setback requirement from 9 feet to 0 feet along the east property line adjacent to the alley; (3) Variance of the required 22 foot minimum drive-aisle for maneuvering within the interior of the site to 16 feet; (4) Variance of the minimum lot area per dwelling unit from 1,500 square feet to approximately 1,489 square feet.

Findings as Required by the Minneapolis Zoning Code for the Variance:

1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.

Corner side yard setback requirement from 12 feet to 8 feet along the north property line adjacent to 25th Street West: Staff believes that granting the setback variance is reasonable and strict adherence to the regulations of the zoning code could cause an undue hardship. The variance request to 8 feet is in keeping with the character of the established setbacks along West 25th Street. By requiring the applicant to meet the setback, it is unlikely that the development would be able to accommodate both the parking and adequate maneuvering space for the enclosed parking spaces provided for the proposed development. There are adjacent residential structures in the immediate vicinity located along West 25th Street that are located closer to the property line than the proposed development. Further the existing residential structure, proposed to be demolished should the proposed development be approved, is located 5 feet 11 inches from the property line along West 25th Street. The proposed development would actually result in an increased setback than that which currently exists.

Variance of the rear yard setback requirement from 9 feet to 0 feet along the east property line adjacent to the alley: Staff believes that granting a setback variance is reasonable and strict adherence to the regulations of the zoning code could cause an undue hardship, however allowing a reduction of the rear yard to less than 3 feet would be unacceptable. By requiring the applicant to meet the required setback, the development would not likely be able to accommodate both the parking and adequate maneuvering space for the enclosed spaces, as the width of the proposed structure would need to be decreased. The two existing structures located on the site are currently located up to the lot line and there are several other buildings on the same block constructed up to

alley as well. By providing a 3 foot setback, Staff would argue that an adequate separation is being maintained between the proposed structure and the existing public alley.

Variance of the required 22 foot minimum drive-aisle for maneuvering within the interior of the site to 16 feet: Staff believes that granting the maneuvering variance is reasonable and strict adherence to the regulations of the zoning code could cause an undue hardship. The applicant has provided a maneuvering diagram within the submittal materials that has been attached for reference. The diagram illustrates that even in the area in question, 16 feet still allows for adequate maneuverability on site. By requiring the applicant to meet the required maneuvering area, the development would not be able to accommodate all of the proposed enclosed parking.

Variance of the minimum lot area per dwelling unit from 1,500 square feet to approximately 1,489 square feet: The property could likely be put to a reasonable use under the conditions allowed, however, strict adherence to the regulations of the zoning code would likely cause undue hardship. The site is located a half block off of Lyndale Avenue which is a Commercial Corridor. Developments of moderate density are encouraged adjacent to Commercial Corridors. A variance to allow an additional dwelling unit per the R4 district standards under a variance request of 1% of the lot area or 11 square feet per dwelling unit is a reasonable use of the subject property.

2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.

Corner side yard setback requirement from 12 feet to 8 feet along the north property line adjacent to 25th Street West: The circumstances could be considered unique as the property has frontage on two public streets and is subject to both a front yard and a corner side yard setback requirement. The circumstances could be further considered unique as the majority of structures located in the immediate vicinity along the same street frontage of 25th Street West are located closer to the lot line than the proposed development.

Variance of the rear yard setback requirement from 9 feet to 0 feet along the east property line adjacent to the alley: The circumstances could be considered unique as the property has frontage on two public streets and is subject to both a front yard and a corner side yard setback requirement. Allowing a rear yard reduction to 3 feet instead of the proposed 0 feet would seem reasonable as it would allow for adequate spacing between the proposed development and the public alley.

Variance of the required 22 foot minimum drive-aisle for maneuvering within the interior of the site to 16 feet: The circumstances could be considered unique as the property has frontage on two public streets and is subject to both a front yard and a corner

side yard setback requirement. The proposed configuration of the U-shaped building wrapping the corner along the two frontages results in the layout of a tuck-under garage space that has only 16 feet for maneuvering. The applicant has provided a maneuvering diagram that illustrates that despite not providing the required 22 feet, 16 feet still allows for adequate on-site maneuvering within the interior of the site.

Variance of the minimum lot area per dwelling unit from 1,500 square feet to approximately 1,489 square feet: The circumstances could be considered unique to the parcel of land for which the variance is being sought. The property is currently zoned R2B, however, with the proximity of the property to a Commercial Corridor, the mix of zoning classifications within the vicinity as well as the surrounding conforming and non-conforming multi-family residential structures, the proposed density of 9 units and the small variance request of 11 square feet per dwelling unit is a reasonable use of the subject property.

3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.

Corner side yard setback requirement from 12 feet to 8 feet along the north property line adjacent to 25th Street West: Granting the setback variance would likely be in keeping with the spirit and the intent of the ordinance. Further, granting a setback variance along the north property line for the proposed development would likely not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. As previously mentioned, the variance request to 8 feet is in keeping with the character of the established setbacks for the existing residential development located along West 25th Street. There are adjacent residential structures in the immediate vicinity located along West 25th Street that are located closer to the property line than the proposed development. Further the existing residential structure, proposed to be demolished should the proposed development be approved, is located 5 feet 11 inches from the property line along West 25th Street. The proposed development would actually result in an increased setback than that which currently exists.

Variance of the rear yard setback requirement from 9 feet to 0 feet along the east property line adjacent to the alley: Granting a setback variance to 3 feet instead of the proposed 0 feet would likely be in keeping with the spirit and the intent of the ordinance. Further, granting a setback variance along the east property line would likely not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. The two existing structures located on the site are currently located up to the lot line and there are several other buildings on the same block constructed up to alley as well. By providing a 3 foot setback, Staff would argue that an adequate separation is being maintained between the proposed structure and the existing public alley.

Variance of the required 22 foot minimum drive-aisle for maneuvering within the interior of the site to 16 feet: Granting the maneuvering variance would likely be in keeping with the spirit and the intent of the ordinance and would likely not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. The maneuvering variance is necessary within the interior of the site due to the configuration of the proposed development. The applicant has provided adequate documentation illustrating that 16 feet is adequate for this specific development based on the layout of the site.

Variance of the minimum lot area per dwelling unit from 1,500 square feet to approximately 1,489 square feet: The granting of the lot area variance to allow 9 residential units on the site would likely be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. The site is adjacent to a Commercial Corridor and incorporating a development of moderate density would seem an appropriate use of the subject site, which is also located on a Metro Transit bus line.

4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.

Corner side yard setback requirement from 12 feet to 8 feet along the north property line adjacent to 25th Street West: Staff believes that the granting of the variance would likely have little impact on congestion of area streets or fire safety, nor would the proposed setback be detrimental to welfare or public safety.

Variance of the rear yard setback requirement from 9 feet to 0 feet along the east property line adjacent to the alley: Staff believes that the granting of the variance to 3 feet instead of the proposed 0 feet would likely have little impact on congestion of area streets or fire safety, nor would a 3 foot setback be detrimental to welfare or public safety.

Variance of the required 22 foot minimum drive-aisle for maneuvering within the interior of the site to 16 feet: Staff believes that the granting of the variance would likely have little impact on congestion of area streets or fire safety, nor would the proposed variance be detrimental to welfare or public safety.

Variance of the minimum lot area per dwelling unit from 1,500 square feet to approximately 1,489 square feet: Staff believes that the granting of the variance would likely have little impact on congestion of area streets or fire safety, nor would the proposed variance be detrimental to welfare or public safety.

SITE PLAN REVIEW:

Required Findings for Site Plan Review

- A. The site plan conforms to all applicable standards of Chapter 530, Site Plan Review. (See Section A Below for Evaluation.)**
- B. The site plan conforms to all applicable regulations of the zoning ordinance and is consistent with applicable policies of the comprehensive plan and applicable small area plans adopted by the city council. (See Section B Below for Evaluation.)**

Section A: Conformance with Chapter 530 of Zoning Code

BUILDING PLACEMENT AND FAÇADE:

- Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.
- First floor of the building shall be located not more than eight (8) feet from the front lot line (except in C3S District or where a greater yard is required by the zoning ordinance). If located on corner lot, the building wall abutting each street shall be subject to this requirement.
- The area between the building and the lot line shall include amenities.
- The building shall be oriented so that at least one (1) principal entrance faces the public street. In the case of a corner lot, the principal entrance shall face the front lot line.
- Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.
- For new construction, the building walls shall provide architectural detail and shall contain windows as required by Chapter 530 in order to create visual interest and to increase security of adjacent outdoor spaces by maximizing natural surveillance and visibility.
- In larger buildings, architectural elements, including recesses or projections, windows and entries, shall be emphasized to divide the building into smaller identifiable sections.
- Blank, uninterrupted walls that do not include windows, entries, recesses or projections, or other architectural elements, shall not exceed twenty five (25) feet in length.
- Exterior materials shall be durable, including but not limited to masonry, brick, stone, stucco, wood, metal, and glass.
- The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.
- The use of plain face concrete block as an exterior material shall be prohibited fronting along a public street, public sidewalk, public pathway, or adjacent to a residence or office residence district.
- Entrances and windows:
- Residential uses:
 - Principal entrances shall be clearly defined and emphasized through the use of architectural features such as porches and roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. 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 on-site parking lot, shall be windows as follows:
 - a. Windows shall be vertical in proportion.

- b. **Windows shall be distributed in a more or less even manner.**
- **Nonresidential uses:**
 - Principal entrances shall be clearly defined and emphasized through the use of architectural features such as roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Thirty (30) 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 on-site parking lot, shall be windows as follows:**
 - a. **Windows shall be vertical in proportion.**
 - b. **Windows shall be distributed in a more or less even manner.**
 - c. **The bottom of any window used to satisfy the ground floor window requirement may not be more than four (4) feet above the adjacent grade.**
 - d. **First floor or ground floor windows shall have clear or lightly tinted glass with a visible light transmittance ratio of 0.6 or higher.**
 - e. **First floor or ground floor windows shall allow views into and out of the building at eye level. Shelving, mechanical equipment or other similar fixtures shall not block views into and out of the building in the area between four (4) and seven (7) feet above the adjacent grade. However, window area in excess of the minimum required area shall not be required to allow views into and out of the building.**
 - f. **Industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, may provide less than thirty (30) percent windows on the walls that face an on-site parking lot, provided the parking lot is not located between the building and a public street, public sidewalk or public pathway.**

Minimum window area shall be measured as indicated in section 531.20 of the zoning code.

- **The form and pitch of roof lines shall be similar to surrounding buildings.**
- **Parking Garages: The exterior design shall ensure that sloped floors do not dominate the appearance of the walls and that vehicles are screened from view. At least thirty (30) percent of the first floor building wall that faces a public street, public sidewalk or public pathway shall be occupied by active uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.**

The proposed structure would be located at the 15 foot setback line along Aldrich Avenue South and closer to the property line at 8 feet than the required setback of 12 feet along 25th Street West. One principal 9-unit residential rowhouse structure is proposed for the site. The building is oriented towards and the street edge reinforced adjacent to both frontages.

There are principal entrances that face both Aldrich Avenue South and 25th Street West. The proposed development does incorporate private principal entries to 8 of the 9 units along both frontages. One of the units located at the rear of the site adjacent to both the interior side yard and rear yard has an entry located at the interior of the site off of the driveway. The building reinforces the street wall, maximizes natural surveillance and facilitates pedestrian access along both frontages. The area between the building and the public streets would have new and existing tree plantings, sod and shrubs.

The north elevation of the proposed residential building located along 25th Street West does not incorporate windows that meet the 20% window requirement on the first floor as approximately 17.5% are proposed. Alternative compliance would be necessary. Staff would recommend that the Planning Commission require that the plans be modified to meet the minimum window requirement. The west elevation of the proposed residential building located along Aldrich Avenue South does not incorporate windows that meet the 20% window requirement on the first floor as approximately 19% are proposed. Alternative compliance would be necessary. Staff would again recommend that the Planning Commission require that the plans be modified to meet the minimum window requirement as the windows proposed between 2 and 10 feet are designed to provide natural surveillance and visibility by having active residential uses located along the public street. The proposed development meets the 10% window requirement on each floor above the first floor that faces the public street and public sidewalk. The windows are distributed in a more or less even manner.

The exterior materials and appearance of the rear and side walls of the proposed buildings are proposed to be similar to and compatible with the front of the building. The proposed materials will be brick and cementitious siding with decorative metal elements. The proposed building appears to incorporate architectural elements including recesses and projections, windows and entries. There are no blank uninterrupted walls that exceed 25 feet in width.

The form and pitch of the roof line would be flat and compatible with surrounding buildings in the general area.

No parking ramp is proposed as part of the development. All parking proposed for the development would be located in the ground level tuck-under garages.

ACCESS AND CIRCULATION:

- **Clear and well-lighted walkways of at least four (4) feet in width shall connect building entrances to the adjacent public sidewalk and to any parking facilities located on the site.**
- **Transit shelters shall be well lighted, weather protected and shall be placed in locations that promote security.**
- **Vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and surrounding residential uses.**
- **Traffic shall be directed to minimize impact upon residential properties and shall be subject to section 530.150 (b) related to alley access.**
- **Site plans shall minimize the use of impervious surfaces.**

The principal entrances of the proposed building are connected via a 6-foot wide concrete walk and stairways to the public sidewalk. The parking facilities for each individual unit are located in private ground level garages at the interior of the site.

There are no transit shelters within the development.

The proposed development has been designed to minimize conflicts with pedestrian traffic and surrounding residential uses.

There would unlikely be impacts on the adjacent residential properties.

There is a public alley adjacent to the site. The alley would be utilized to access the interior driveway to the ground level garages proposed as part of the development.

The site has been designed to minimize the use of impervious surfaces through landscaping.

LANDSCAPING AND SCREENING:

- **The composition and location of landscaped areas shall complement the scale of the development and its surroundings.**
 - Not less than twenty (20) percent of the site not occupied by buildings, including all required landscaped yards, shall be landscaped as specified in section 530.160 (a).
- **Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.**
- **Except as otherwise provided, required screening shall be at least ninety-five (95) percent opaque throughout the year. Screening shall be satisfied by one or a combination of the following:**
 - A decorative fence.
 - A masonry wall.
 - A hedge.
- **Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.170 (b), including providing landscape yards along a public street, public sidewalk or public pathway and abutting or across an alley from a residence or office residence district, or any permitted or conditional residential use.**
- **The corners of parking lots where rows of parking spaces leave areas unavailable for parking or vehicular circulation shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks or bicycle parking.**
- **In parking lots of ten (10) spaces or more, no parking space shall be located more than fifty (50) feet from the center of an on-site deciduous tree. Tree islands located within the interior of a parking lot shall have a minimum width of seven (7) feet in any direction.**
- **All other areas not governed by sections 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.**
- **Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.210.**
- **The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.80, as provided in section 530.220.**

The proposal does meet the 20% landscape requirement. The total site area is 13,409 square feet or .30 acres and the proposed building footprint on the site would be 6,546 square feet. A total of 1,372 square feet of landscaping would be necessary to meet the 20% requirement. The applicant is providing approximately 2,267 square feet or approximately 33% of the site not occupied by buildings. The zoning code requires that

there be at least 3 trees and 14 shrubs. The applicant is proposing to provide 10 trees and 33 shrubs. Staff would recommend that the applicant consider planting a more diverse species of shrubs on site. The proposal is meeting the minimum landscape quantity requirements.

ADDITIONAL STANDARDS:

- **All parking lots and driveways shall be designed with wheel stops or discontinuous curbing to provide on-site retention and filtration of stormwater. Where on-site retention and filtration is not practical, the parking lot shall be defined by six (6) inch by six (6) inch continuous concrete curb.**
- **To the extent practical, site plans shall minimize the blocking of views of important elements of the city.**
- **To the extent practical, buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.**
- **To the extent practical, buildings shall be located and arranged to minimize the generation of wind currents at ground level.**
- **Site plans shall include crime prevention design elements as specified in section 530.260 related to:**
 - **Natural surveillance and visibility**
 - **Lighting levels**
 - **Territorial reinforcement and space delineation**
 - **Natural access control**
- **To the extent practical, site plans shall include the rehabilitation and integration of locally designated historic structures or structures that have been determined to be eligible to be locally designated. Where rehabilitation is not feasible, the development shall include the reuse of significant features of historic buildings.**

All parking is being provided in private enclosed tuck-under garages with access off of the alley on the east side of the site. The water drainage on site would need to be designed so as not to drain onto any adjacent lots.

The City's CPTED officer has recommended that any additional plantings follow the 3' – 7' rule to allow visibility on site. Staff would concur with this recommendation.

The parking facilities have been designed to avoid headlights from shining on adjacent properties. There are adjacent residential properties to the east of the site across the alley that could be impacted as all vehicular access to and from the site would be off the alley on the east side of the site.

Staff would not expect the proposal to result in the blocking of views, shadowing of public space or adjacent properties. The proposed building would also not be expected to have significant impacts on light, wind and air in relation to the surrounding area.

Section B: Conformance with All Applicable Zoning Code Provisions and Consistency with the Comprehensive Plan and Applicable Small Area Plans Adopted by the City Council

ZONING CODE - The proposed use is conditional in the R4 District

With the approval of the rezoning, conditional use permit, variances and site plan review this development would meet the requirements of the R4 zoning district.

Specific Development Standards: Not applicable.

Parking and Loading: Chapter 541 of the zoning code requires one off-street parking space per dwelling unit. The applicant proposes to provide 13 enclosed parking spaces in ground-level garages for the proposed development which exceeds the requirement.

Signs: No signs are proposed at this time. All new signage is required to meet the requirements of the code. Permits are required from the Zoning Office should any signage be included for the development.

Lighting: The applicant is proposing to install decorative, wall mounted light fixtures throughout the site. A photometric plan was not submitted as part of the application. All lighting will need to be downcast and shielded to avoid undue glare. All lighting shall comply with Chapters 535 and 541 and Planning Staff shall review the details of the fixtures in the final review prior to permit issuance.

Maximum Floor Area: The maximum F.A.R. for multiple-family dwelling units in the R4 District is the gross floor area of the building which is 17,460 square feet divided by the area of the lot which is 13,409 square feet. The outcome is 1.3 which is less than the maximum of 1.5 that is permitted in the R4 District.

Minimum Lot Area: The project would meet the minimum lot width requirements of the R4 District as the development is situated on a lot greater than 40 feet in width, however a variance is being requested to vary the minimum lot area requirement per dwelling unit. Multiple-family developments in the R4 District require 5,000 square feet of lot area or 1,500 square feet per dwelling unit. A 9-unit development would require a lot having an area of no less than 13,500 square feet. The subject parcel is 13,409 square feet in size. A variance is being requested to minimize the minimum lot area per dwelling unit from 1,500 square feet to approximately 1,489 square feet.

Height: Maximum building height for multiple-family dwelling units in the R4 District is 4 stories, not to exceed 56 feet. The condominium would comply with this limitation as the proposed development is 3 stories or 35 feet.

Yard Requirements: The required yards are as follows:

Front - along Aldrich Avenue South: 15 feet
Corner side yard - along 25th Street West (8+2x): 12 feet
Rear yard (5+2x): 9 feet.
Interior side yard(5+2x): 9 feet

Building coverage: The maximum building coverage in the R4 District is 70 percent. Buildings would cover approximately 49 percent.

Impervious surface area: The maximum impervious surface coverage in the R4 District is 85 percent. Impervious surfaces would cover approximately 85 percent of the site.

MINNEAPOLIS PLAN

See the above listed response to finding #5 in the conditional use permit application.

Section C: Conformance with Applicable Development Plans or Objectives Adopted by the City Council

No small area plans for this area of Minneapolis have been adopted by the City Council.

ALTERNATIVE COMPLIANCE

The Planning Commission may approve alternatives to any site plan review requirement upon finding any of the following:

- **The alternative meets the intent of the site plan chapter and the site plan includes amenities or improvements that address any adverse effects of the alternative. Site amenities may include but are not limited to additional open space, additional landscaping and screening, green roof, decorative pavers, ornamental metal fencing, architectural enhancements, transit facilities, bicycle facilities, preservation of natural resources, restoration of previously damaged natural environment, rehabilitation of existing structures that have been locally designated or have been determined to be eligible to be locally designated as historic structures, and design which is similar in form, scale and materials to existing structures on the site and to surrounding development.**
- **Strict adherence to the requirements is impractical because of site location or conditions and the proposed alternative meets the intent of this chapter.**
- **The proposed alternative is consistent with applicable development plans or development objectives adopted by the city council and meets the intent of this chapter.**

Alternative compliance would not be necessary should the Planning Commission recommend approval with the conditions as written. The north and west elevations

would need to be modified to incorporate the minimum 20% window requirement on the first floor.

The north elevation of the proposed residential building located along 25th Street West does not incorporate windows that meet the 20% window requirement on the first floor as approximately 17.5% are proposed. Alternative compliance would be necessary. Staff would recommend that the Planning Commission require that the plans be modified to meet the minimum window requirement. The west elevation of the proposed residential building located along Aldrich Avenue South does not incorporate windows that meet the 20% window requirement on the first floor as approximately 19% are proposed. Alternative compliance would be necessary. Staff would again recommend that the Planning Commission require that the plans be modified to meet the minimum window requirement as the windows proposed between 2 and 10 feet are designed to provide natural surveillance and visibility by having active residential uses located along the public street.

RECOMMENDATIONS:

Recommendation of the Department of Community Planning and Economic Development– Planning Division for the rezoning:

The Department of Community Planning and Economic Development - Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **approve** the rezoning petition to change the zoning classification of the property located at 2501, 2505 and 2509 Aldrich Avenue South from the R2B district to the R4 district.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the conditional use permit:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a conditional use permit to allow up to 9 dwelling units on property located at 2501, 2505 and 2509 Aldrich Avenue South.

Recommendation of the Department of Community Planning and Economic Development– Planning Division for the variance:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the variance of the corner side yard for the proposed residential structure along the north property line adjacent to 25th Street West for property located at 2501, 2505 and 2509 Aldrich Avenue South from 12 feet to 8 feet.

Recommendation of the Department of Community Planning and Economic Development– Planning Division for the variance:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the variance of the rear yard for the proposed residential structure along the east property line adjacent to the alley for property located at 2501, 2505 and 2509 Aldrich Avenue South from 9 feet to 3 feet.

Recommendation of the Department of Community Planning and Economic Development– Planning Division for the variance:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the variance of the required 22 foot minimum drive-aisle for maneuvering within the interior of the site to 16 feet for property located at 2501, 2505 and 2509 Aldrich Avenue South.

Recommendation of the Department of Community Planning and Economic Development– Planning Division for the variance:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the variance of the minimum lot area per dwelling unit from 1,500 square feet to approximately 1,489 square feet for property located at 2501, 2505 and 2509 Aldrich Avenue South.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the site plan review:

The Department of Community Planning and Economic Development– Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the site plan review application for property located at 2501, 2505 and 2509 Aldrich Avenue South subject to the following conditions:

1. Planning Staff review and approval of the final site, elevation and landscaping plans.
2. All site improvements shall be completed by December 1, 2007 unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
3. Modification of the north and west elevations to incorporate the minimum 20% window requirement on the first floor as required by section 530.120 of the zoning code.

4. Impervious surfaces shall not be increased to exceed the requirement of section 546.150 of the zoning code.

Attachments:

1. Statement of use and description of project
2. Findings – CUP and Variances
3. Correspondence
4. Neighborhood input
5. Zoning map
6. Plans – site survey, site plan, floor plans, elevations, landscape plans, turning templates
7. Photos
8. PDR comments