

**Excerpt from the
CITY PLANNING COMMISSION
MINUTES**

**Minneapolis Community Planning & Economic Development (CPED)
Planning Division**

250 South Fourth Street, Room 300
Minneapolis, MN 55415-1385
(612) 673-2597 Phone
(612) 673-2526 Fax
(612) 673-2157 TDD

MEMORANDUM

DATE: July 20, 2006

TO: Steve Poor, Manager, Community Planning & Economic Development -
Planning Division

FROM: Jason Wittenberg, Supervisor, Community Planning & Economic Development -
Planning Division, Development Services

CC: Barbara Sporlein, Director, Community Planning & Economic Development
Planning Division

SUBJECT: Planning Commission decisions of July 17, 2006

The following actions were taken by the Planning Commission on July 17, 2006. As you know, the Planning Commission's decisions on items other than rezonings, text amendments, vacations, 40 Acre studies and comprehensive plan amendments are final subject to a ten calendar day appeal period before permits can be issued:

Commissioners Present: President Martin, El-Hindi, Krause, LaShomb, Motzenbecker, Nordyke, Schiff and Tucker – 8

Not Present: Henry-Blythe and Krueger

1. Brian Flakne (Vac-1490, Ward 9), block bounded by Bloomington Ave S, E 28th St, 16th Ave S and the Midtown Greenway (Hilary Dvorak).

A. Vacation: Application by Brian Flakne with Greenway Urban Housing, LLC for the following alley vacation application:

Alley vacation (Vac 1490): That part of the alley as dedicated in Allan & Andersons Addition to Minneapolis, Hennepin County, Minnesota, lying south of the westerly extension of the north line of Lot 4, Block 2, said Addition. And; all of an Alley Easement in favor of the City

of Minneapolis, measuring 20.06 feet by 29.92 feet, and located upon Lot 7, Block 2, Allen & Andersons Addition to Minneapolis.

Action: The City Planning Commission recommended that the City Council accept the findings and deny the vacation application.

President Martin opened the public hearing.

No one was present to speak to the item.

President Martin closed the public hearing.

Commissioner Krause moved approval of the staff recommendation (Tucker seconded).

The motion carried 8 – 0.

2. Kingsley Commons (Vac-1491, Ward 4), 4550 Humboldt Ave N (Michael Orange).

A. Vacation: Application by Common Bond Communities to vacate a 30-foot wide sewer easement located on the northern portion of the property at 4550 Humboldt Ave N where Common Bond has permits to build the Kingsley Commons project.

Action: The City Planning Commission recommended that the City Council **approve** the proposed vacation of the sewer easement located at 4550 Humboldt Ave N, subject to the following legal description:

“A thirty (30) foot wide sewer easement being 15 feet either side of the following described line: Beginning at a point in 46th Avenue North being 92 feet east of the southerly extension of the west line of Lot 8, Block 4, and 25 feet south line of said Lot 8, Block 4, and 25 feet south of the south line of said Lot 8, Block 4, Gillespie's Camden Oaks Addition to Minneapolis, thence east a distance of 380 feet; thence northeasterly at a 30 degree angle a distance of 70 feet and there terminating; all according to the recorded plats thereof, Hennepin County, Minnesota.”

President Martin opened the public hearing.

No one was present to speak to the item.

President Martin closed the public hearing.

Commissioner Krause moved approval of the staff recommendation (Tucker seconded).

The motion carried 8 – 0.

6. Village in Phillips Phase II (Franklin Station Condominiums)—West Building (BZZ-2997, Ward 9), 2400-2406 Bloomington Ave (Janelle Widmeier).

A. Rezoning: Application by Doug Wise, on behalf of Powderhorn Residents Group, Inc., for a petition to rezone the properties of 2404-2406 Bloomington Ave from R2B to C1.

Action: The City Planning Commission recommended that the City Council adopt the findings and **approve** the petition to rezone the properties of 2404-2406 Bloomington Ave from the R2B district to the C1 district.

B. Conditional Use Permit: Application by Doug Wise, on behalf of Powderhorn Residents Group, Inc., for conditional use permit to allow 12 dwelling units for the properties located at 2400-2406 Bloomington Ave.

Action: The City Planning Commission adopted the findings and **approved** the application for a conditional use permit to allow 12 dwelling units for the properties located at 2400-2406 Bloomington Ave.

C. Conditional Use Permit: Application by Doug Wise, on behalf of Powderhorn Residents Group, Inc., for conditional use permit to increase the maximum allowed height of a building from 3 stories, 42 feet to 4 stories, 55 feet for properties located at 2400-2406 Bloomington Ave.

Action: The City Planning Commission adopted the findings and **approved** the application for a conditional use permit to increase the maximum allowed height of a building from 3 stories to 4 stories and 42 feet to 45 feet for the properties located at 2400-2406 Bloomington Ave.

D. Variance: Application by Doug Wise, on behalf of Powderhorn Residents Group, Inc., for a variance to reduce the front yard requirement along Bloomington Ave from 19.5 feet to 0 feet to allow a 4-story building for properties located at 2400-2406 Bloomington Ave. (Please note, the whole building is not subject to this requirement. A front yard is only required for 40 feet from the adjacent residential property.)

Action: The City Planning Commission adopted the findings and **approved** the application for a variance to reduce the front yard requirement along Bloomington Avenue from 20 feet to 1.5 feet to allow a 4-story building and balconies for the properties located at 2400-2406 Bloomington Ave.

E. Site Plan Review: Application by Doug Wise, on behalf of Powderhorn Residents Group, Inc., for a site plan review for properties located at 2400-2406 Bloomington Ave.

Action: The City Planning Commission adopted the findings and **approved** the application for site plan review to allow a mixed use building with 12 dwelling units for the properties located at 2400-2406 Bloomington Ave, subject to the following conditions:

1. Community Planning and Economic Development Department – Planning Division staff review and approval of the final elevations, site and landscape plans.
2. Site improvements required by Chapter 530 or by the City Planning Commission shall be completed by August 18, 2007, or the permit may be revoked for non-compliance.
3. Ceiling lights in the parking garage shall be shielded to prevent glare on the adjacent sidewalk.
4. On the first floor wall facing the parking lot, at least 10 percent of the wall shall be windows.

5. A 7 foot wide landscaped yard with screening that is 3 feet in height and at least 60 percent opaque shall be provided between the north side of the driveway between the parking area and the alley.
6. All mechanical equipment shall be screened as required by Section 535.70 of the zoning code.

Staff Widmeier presented the staff report.

President Martin opened the public hearing.

Doug Wise (PRG, applicant): We are in agreement with all of the recommendations. I just had one concern about the parking in the back, the requirement for the seven feet of landscaped area between the parking and alley. It looks like that may mean we'd lose one spot which would create a real problem. We could push the one spot closer to the building, but I am not sure we could fit seven feet of green space in there.

President Martin: Janelle, could you help with that?

Staff Widmeier: What we're recommending is that the four feet be allowed on this side, but seven feet be provided here, there's six feet there now and you just have to reduce the walkway or reduce the area where your trash enclosure is proposed.

Doug Wise: Ok. If it's possible, we can do that. The four feet is ok on the other side? Yes? Ok. We're ok with that. Thank you.

President Martin: Anyone else for item number six?

Hambissa Homa (1531 E 24th St): As you know, we have tried our best to bring to your attention our problems at the Franklin Station townhouse. As we mentioned before, we don't want to know about this new plan when we [tape unclear] ...company just start after we bought the units and we moved to the house. The problem is the parking area. We have only one parking garage with the unit. For example some people have three, four or five family members and then maybe they have three or four cars and really there is no parking space on our side. The other problem is about when they are going to start this new building. This new building is much higher than the present building which we are living in. On our kitchen side, there is no sunshine even to our unit that is from the back because it is going to be covered with this new building. For this new building, it is about 24 units of condos, I think, and they only have one parking area for one unit, maybe I don't know. With two bedrooms, three bedroom how many family members are living there and how many cars do they use? We can't even consider where they are going to park. The other thing is about the reduction of the interior of the new building, I don't know what shape we can see. The new building and the other building is a few feet from that, and really that corner, it will be the hiding place for those intended to do some crimes. On the street they can stand there and they can really do some bad things. In the same shape, it is bright and they cannot stand there and do such crimes. We are scared

about that. The other thing we heard there will be a coffeeshop within this new building. People are coming to take a coffee and just sit and drink, I don't know where they are parking their cars. The new people are coming there, we don't know who is coming to the coffeeshop. The kids are moving around there because it is together with the living units of houses. Really it is risky for the kids. It is very difficult to control it to look after them. We don't know who's coming and going from that compound. The other problem is about this alley. Now we are moving from the compound to Bloomington and now they are going to narrow that one and open ours to 16th Avenue. On 16th Avenue, cars are parking from both sides. I don't know how we can go that. Doing emergency for ambulances, for fire emergencies, I don't know how cars are entering into that compound and to save us from such a risky problem. At this time it is crowded, after 24 units of living in condos are added on that small lot of grounds, it is very easy to see the problem. We cannot park on 24th and on Bloomington there are bus stations. From our side of the street there isn't any place to park. The development that should be done, should be safe. I don't think this will be safe when it is so crowded and there is no parking area.

President Martin: Ok, is there some new information Mr. Homa? I think we get the idea that you're not happy with the parking and some other things.

Hambissa Homa: The new information is just the parking area and the interior of the new building reduced from 15 feet to nine.

President Martin: We've got that list. Anything else?

Hambissa Homa: Thank you.

Deb Ekeren (1537 E 24th St): I'm a townhome resident as well. I have two concerns. I am aware that a condo building was approved last time for 24 units. This will add 12 units to the same block. Already we have a significant amount of traffic congestion. We have a significant number of cars that are parking on the street. Adding 36 additional units with multi-bedroom units is going to create a challenge. I know the plan that PRG has developed continues a great deal of density development in this area and PRG has been satisfied to have one parking space per unit regardless of how many bedrooms there are. Our experience is that families look different. It's not one parent and children, it's multiple generations, it's larger families and parking is not sufficient for what families look like in the Phillips neighborhood right now. I challenge you to look at that and push for some plans to be developed in that area. The other piece I would also push is that PRG does listen to the feedback that neighbors have. Plans were developed about eight or nine years ago and the neighborhood looks different. Our community looks different and plans need to incorporate new opinions and values.

President Martin: Anyone else, item number six?

President Martin closed the public hearing.

President Martin: We have a rezoning, a couple of conditional use permits, a variance and a site plan.

Commissioner Schiff: A question for Janelle, what's the sidewalk width situation and are we matching what was approved last Thursday by the Zoning and Planning Committee?

Staff Widmeier: The site plan hasn't been altered to match what was done on Thursday so it's a four foot boulevard with an eight foot sidewalk.

Commissioner Schiff: It is a four foot boulevard with an eight foot sidewalk?

Staff Widmeier: The sidewalk encroaches on to the subject site.

Commissioner Schiff: Ok so it's a slightly larger sidewalk than what was approved last Thursday.

Staff Widmeier: That's correct.

Commissioner Schiff: That's definitely good. Thanks.

Commissioner LaShomb moved approval of the rezoning (Tucker seconded).

Commissioner LaShomb: I think we've looked at this area at least once that I am aware of. I think parking is always a big problem in what I call the center part of the city. The fact of the matter is there are going to be some people that look at these homes and say they just can't live there because there isn't adequate parking. I've lived downtown for 17 years and I've lived in a building where we've had two and three bedroom apartments and we all had one parking space and I managed to do that for 17 years so I guess my sense is that it's a good project. My only concern when I see going from R2B to C1 is that we've had some experiences where that's been kind of the Trojan Horse approach and the retail never gets put into the project so I hope the developer has some firm footing on the issue of retail because that's really an important consideration when going over to C1.

Commissioner El-Hindi: The conditional use permit is for 24 dwelling units, but what's being approved is 12 dwelling units?

Staff Widmeier: There's a typo, sorry. There are only 12 dwelling units.

Commissioner El-Hindi: The same thing for the height. The applicant is asking for four stories and 55 feet and what's being granted is 4 stories and 45 feet.

Staff Widmeier: The plans had shown 55 feet and then when I went back and measured it, it was only 45 feet.

Commissioner El-Hindi: Ok. So they're getting what they're asking for?

Staff Widmeier: Yes.

President Martin: The motion is to approve the rezoning. All those in favor? Opposed?

The motion carried 7-0.

Commissioner LaShomb: I'll move the conditional use permit B and I think we can move C as well (Schiff seconded). My only comment, relating to the height, is that I think when we've talked about Light Rail station areas and some of the station area plans, generally three or four stories has been the norm so I don't think this is going to be very atypical of what's going on next to transit stations. I don't think this is an unreasonable request given how the city has looked at station area plans or urban neighborhood design.

The motions carried 7-0.

Commissioner LaShomb: I'll move the variance (Schiff seconded).

The motion carried 7-0.

Commissioner LaShomb: Since the site plan is consistent with something that didn't happen here, but apparently has gotten done, I will move the site plan (Motzenbecker seconded).

Commissioner Schiff: I will vote for that as well. I certainly share the neighbor's concerns that there is not enough parking for this project and it will increase congestion in the neighborhood, but part of that is 'buyer beware' and when people buy these units they will have to know that there's only one parking stall and that's certainly going to be clear to any of them. They do a site visit and buy the unit before they show up so that's something that places a burden on the neighborhood, but ultimately it's something here that makes this project affordable in part because they're not building two parking stalls per unit and with \$30,000 per parking stall that's sometimes the biggest cost adding to a housing project is the cost of parking. I think here, given the length of history and the community's plan and this plan, I think a lot of the congestion on Bloomington is actually bad light timing, particularly coming off of Hiawatha during rush hour. The Public Works department can look at that, but here, adding more parking stalls would pretty much kill this project and would not serve overall goals for the community.

President Martin: All those in favor? Opposed?

The motion carried 7-0.

