

**Excerpt from the
CITY PLANNING COMMISSION
MINUTES
Minneapolis Community Planning & Economic Development
(CPED) Planning Division**

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MEMORANDUM

DATE: March 30, 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 March 27, 2006

The following actions were taken by the Planning Commission on March 27, 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, Henry-Blythe, Krueger, LaShomb, Motzenbecker, Nordyke, Schiff and Tucker – 10

3. Michael Johnson (Vac-1482, Ward 2) The portion of 16th Ave. SE from 8th St. SE to the Burlington Northern & Santa Fe Railroad Line. (Tara Beard).

- A. Vacation:** Application by Michael Johnson to vacate 16th Ave. SE between 8th St. SE and the Burlington Northern & Santa Fe Railroad. The applicant is redeveloping the adjacent property to the east and would use the land allocated if the vacation is approved for landscaping and pedestrian access to that building.

Action: The City Planning Commission recommended that the City Council adopt the findings and approve 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 recommendations (LaShomb seconded).

The motion carried 9 – 0.

4. 32nd and Hiawatha (BZZ-2760, Ward 9) 3216 25th Ave. S and 2432 33rd St. E (Tara Beard). This item was continued from the January 23, 2006 meeting and the February 21, 2006 meeting.

A. Rezoning: Application by Robert Lindahl on behalf of Eclipse Investments, LLC, for a rezoning from R1A to R4 for the property at 3216 25th Ave. S and 2432 33rd St. E. The applicant is proposing to build two additional single family homes on the site, which would bring the total number of houses in the cluster development to six.

Action: The City Planning Commission recommended that the City Council adopt the findings and approve the application for a zoning amendment from R1A district to the R4 zoning district.

B. Conditional Use Permit: Application by Robert Lindahl on behalf of Eclipse Investments, LLC, for a conditional use permit to expand a cluster development for the property at 3216 25th Ave. S and 2432 33rd St. E.

Action: The City Planning Commission adopted the findings and approved the application for a conditional use permit to amend a cluster development at 3216 25th Ave. S and 2432 33rd St E, subject to the following conditions:

1. Open space on the east portion of the site is provided with trees, shrubs, and other outdoor amenities.
A minimum of a total of 9 trees and 84 shrubs will be provided on the site.
2. The proposed unit facing 33rd St E shall be designed to provide a principal entrance and not less than 15% windows facing the public street.
3. Building permits shall not be issued until a subdivision application replatting the two lots in question into one is approved.

C. Conditional Use Permit: Application by Robert Lindahl on behalf of Eclipse Investments, LLC, for a conditional use permit to allow a community residential facility for the property at 3216 25th Ave. S and 2432 33rd St. E.

Action: The City Planning Commission adopted the findings and approved the application for a conditional use permit for a Community Residential Facility serving seventeen (17) to thirty-two (32) persons at 3216 25th Ave. S and 2432 33rd St E., subject to the following conditions:

1. The development shall comply with the Specific Development Standards for community residential facilities as required by Chapter 536 of the zoning code.

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 recommendations (LaShomb seconded).

The motion carried 9 – 0.

10. Washington Court Apartments (BZZ-2841, Ward 1) 2101 Washington St. NE (Hilary Dvorak).

- A. Rezoning:** Application by David Steele with WMF Properties, LLC for a rezoning of the property located at 2101 Washington St. NE from R2B to R3.

Action: The City Planning Commission recommended that the City Council adopt the findings and **approve** the rezoning of 2101 Washington St. NE from R2B to R3.

- B. Conditional Use Permit:** Application by David Steele with WMF Properties, LLC for a conditional use permit for 38 dwelling units for the property located at 2101 Washington St. NE.

Action: The City Planning Commission adopted the findings and **approved** the conditional use permit application for 38 dwelling units located at 2101 Washington St. NE.

- C. Conditional Use Permit:** Application by David Steele with WMF Properties, LLC for a conditional use permit to increase the height of the building from the permitted 2.5 stories/35 feet to 3 stories/35 feet for the property located at 2101 Washington St. NE.

Action: The City Planning Commission adopted the findings and **approved** the conditional use permit application to increase the height of the building from the permitted 2.5 stories/35 feet to 3 stories/35 feet located at 2101 Washington St. NE.

- D. Site Plan Review:** Application by David Steele with WMF Properties, LLC for a site plan review for the property located at 2101 Washington St. NE.

Action: The City Planning Commission adopted the findings and **approved** the site plan review for the property located at 2101 Washington St. NE subject to the following conditions:

1. The building shall be moved as close to the front property line as possible without triggering the need to apply for a variance.

2. There shall be no wall over 25 feet in length and void of any windows, entries, recesses or projections, or other architectural elements as required by section 530.120 of the zoning code.
3. Five more canopy trees shall be included in the landscaping plan in order to meet the minimum requirement as required by Section 530.160 of the zoning code.
4. The six-foot high fence shall not be located forward of the front wall of the building.
5. The applicant shall submit a lighting plan that complies with the lighting level requirements of Chapter 535.
6. Approval of the final site, elevation and landscaping plans by the Department of Community Planning and Economic Development – Planning Division.
7. All site improvements shall be completed by April 28, 2007, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
8. There shall be no monument sign located on the property.

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 recommendations (LaShomb seconded).

Commissioner Schiff: One question or one addition I want to make to item number 10 is – there is a monument sign for this residential building and I believe it's out of character for Washington Avenue. In general, monument signs... I would ask staff to look for those and eliminate them during the review process we do. They, for residential buildings, make them more commercial in nature. I'd like to strip out that.

President Martin: Is that in the site plan?

Commissioner Schiff: Washington Court Apartments, 2101 Washington St. NE.

President Martin: Oh, you just want to add a condition.

Commissioner Schiff: Add a condition to the site plan that states no monument signs.

The motion carried 9 – 0.

12. Chris Rydrych (BZZ-2839, Ward 8) 19 W 38th St. (Hilary Dvorak).

- A. Rezoning:** Application by Chris Rydrych for the rezoning of property located at 19 W 38th St. from R2B to R5.

Action: The City Planning Commission recommended that the City Council adopt the findings and **approve** the rezoning of 19 W 38th St. from R2B to R5.

B. Conditional Use Permit: Application by Chris Rydrych for a conditional use permit for 8 dwelling units for the property located at 19 W 38th St.

Action: The City Planning Commission adopted the findings and **approved** the conditional use permit application for 8 dwelling units located at 19 W 38th St.

C. Variance: Application by Chris Rydrych for a variance to reduce the east interior side yard setback from the required 13 feet to 3 feet 6 inches for the property located at 19 W 38th St.

Action: The City Planning Commission adopted the findings and **approved** the variance application to reduce the east interior side yard setback from the required 11 feet to 3 feet 6 inches located at 19 West 38th Street subject to the following conditions:

1. The applicant shall select a hardy ground cover and incorporate it into the landscaping plan for the area in between the building and the east property line.

D. Variance: Application by Chris Rydrych for a variance to reduce the west interior side yard setback from the required 13 feet to 6 feet 6 inches for the property located at 19 W 38th St.

Action: The City Planning Commission adopted the findings and **approved** the variance application to reduce the west interior side yard setback from the required 11 feet to 8 feet 6 inches located at 19 W 38th St.

E. Site Plan Review: Application by Chris Rydrych for site plan review for the property located at 19 W 38th St.

Action: The City Planning Commission adopted the findings and **approved** the site plan review for eight dwelling unit spaces located at 19 W 38th St. subject to the following conditions:

1. The fourth floor of the east building wall shall include windows, entries, recesses or projections, or other architectural elements as required by Section 530.120.

2. The windows on the basement level shall be distributed in a similar fashion as those on the upper levels of the building

3. The final landscaping plan shall demonstrate compliance with sections 530.200 and 530.210 of the zoning code.

4. The refuse container shall be located adjacent to the driveway.

5. The applicant shall submit a lighting plan that complies with the lighting level requirements of Chapter 535.

6. Required yards, including paved areas in the rear yard, shall comply with the standards of Table 535-1 of the zoning code.

7. Approval of the final site, elevation and landscaping plans by the Department of Community Planning and Economic Development – Planning Division.

8. All site improvements shall be completed by April 28, 2007, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

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 recommendations (LaShomb seconded).

The motion carried 9 – 0.