

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

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MEMORANDUM

DATE: January 10, 2007

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 January 8, 2007

The following actions were taken by the Planning Commission on January 8, 2007. 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 Motzenbecker, El-Hindi, Huynh, LaShomb, Nordyke, Norkus-Crampton, Schiff and Tucker – 8

Not Present: Henry-Blythe and Krueger

7. Emerson Court (BZZ-3329 and PL-208, Ward: 5), 3014-3024 Emerson Ave N ([Janelle Widmeier](#)).

A. Rezoning: Application by Bill Buelow, on behalf of Greater Metropolitan Housing Corporation, for a petition to rezone the properties of 3014-3024 Emerson Ave N from the R2B Two-Family District to the R4 Multiple-Family District.

Action: The City Planning Commission recommended that the City Council adopt the findings and **approve** the petition to rezone the properties of 3014-3024 Emerson Ave N from the R2B District to the R4 District.

B. Conditional Use Permit: Application by Bill Buelow, on behalf of Greater Metropolitan Housing Corporation, for a conditional use permit to allow a cluster development with 8 dwelling units for the properties located at 3014-3024 Emerson Ave N.

Action: The City Planning Commission adopted the findings and **approved** the application for a conditional use permit to allow a cluster development with 8 dwelling units for the properties located at 3014-3024 Emerson Ave N.

C. Conditional Use Permit: Application by Bill Buelow, on behalf of Greater Metropolitan Housing Corporation, for a conditional use permit to increase the maximum allowed height of 2 dwellings adjacent to the alley from 2.5 stories to 3 stories for the properties located at 3014-3024 Emerson Ave N.

Action: The City Planning Commission adopted the findings and **approved** the application for a conditional use permit to increase the maximum allowed height of 2 dwellings adjacent to the alley from 2.5 stories to 3 stories for the properties located at 3014-3024 Emerson Ave N.

D. Variance: Application by Bill Buelow, on behalf of Greater Metropolitan Housing Corporation, for a variance to reduce the established front yard requirement along Emerson Ave N from 24 feet to 16 feet to allow the front wall of 4 dwellings and from 24 feet to 9 feet to allow open porches on the 4 dwellings for the properties located at 3014-3024 Emerson Ave N.

Action: The City Planning Commission adopted the findings and **approved** the application for a variance to reduce the established front yard requirement along Emerson Ave N from 24 feet to 16 feet to allow the front wall of 4 dwellings and from 24 feet to 9 feet to allow open porches on the 4 dwellings for the properties located at 3014-3024 Emerson Ave N.

E. Variance: Application by Bill Buelow, on behalf of Greater Metropolitan Housing Corporation, for a variance to reduce the interior side yard along the north property line from 7 feet to 5 feet to allow 2 dwellings for the properties located at 3014-3024 Emerson Ave N.

Action: The City Planning Commission adopted the findings and **approved** the application for a variance to reduce the interior side yard along the north property line from 7 feet to 5 feet to allow 2 dwellings for the properties located at 3014-3024 Emerson Ave N.

F. Variance: Application by Bill Buelow, on behalf of Greater Metropolitan Housing Corporation, for a variance to reduce the interior side yard along the south property line from 7 feet to 5 feet to allow 2 dwellings for the properties located at 3014-3024 Emerson Ave N.

Action: The City Planning Commission adopted the findings and **approved** the application for a variance to reduce the interior side yard along the south property line from 7 feet to 5 feet to allow 2 dwellings for the properties located at 3014-3024 Emerson Ave N.

G. Variance: Application by Bill Buelow, on behalf of Greater Metropolitan Housing Corporation, for a variance to reduce the minimum drive aisle width from 22 feet to 6 feet to allow two detached garages and from 22 feet to 15 feet to allow two attached garages (maneuvering of vehicles would occur in the alley) for the properties located at 3014-3024 Emerson Ave N.

Action: The City Planning Commission adopted the findings and **approved** the application for a variance to reduce the minimum drive aisle width from 22 feet to 6 feet to allow two

detached garages and from 22 feet to 15 feet to allow two attached garages for the properties located at 3014-3024 Emerson Ave N.

H. Site Plan Review: Application by Bill Buelow, on behalf of Greater Metropolitan Housing Corporation, for a site plan review for the properties located at 3014-3024 Emerson Ave N.

Action: The City Planning Commission adopted the findings and **approved** the application for site plan review to allow a cluster development with 8 units for the properties located at 3014-3024 Emerson Ave N, 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 February 9, 2008, or the permit may be revoked for non-compliance.
3. The metal ornamental fence shall extend at least 24 feet from the front lot line adjacent to the side lot lines as required by section 535.420 of the zoning code. The applicant is encouraged to provide vinyl coated chain-link in the side yards.

I. Preliminary Plat: Application by Bill Buelow, on behalf of Greater Metropolitan Housing Corporation, for a preliminary plat for the properties located at 3014-3024 Emerson Ave N.

Action: The City Planning Commission accepted the findings and **approved** the preliminary plat for the properties located at 3014-3024 Emerson Ave N.

Commissioner Norkus-Crampton: There was mention in the summary of the staff recommendations recommending a four foot decorative fence to go around the entire proposed subdivision area for safety issues and a way to contain the space and maybe make it more family friendly. I was curious if that was accepted as part of the proposal at this point.

Staff Widmeier: If the fence were going around the entire development, is that your question?

Commissioner Norkus-Crampton: There was a recommendation on the staff summary saying that they recommended a four foot iron fence to contain the space to make it safer to prevent people walking through the housing development and to also make it safer for families with children and I didn't see if that was actually going to be included as part of project proposal.

Staff Widmeier: The applicant is proposing a four foot high fence around the development. It just happens that along the street it's a decorative metal fence and then along the sides it's chain link. The recommendation is to extend that decorative fence to the extent of the front yard, 24 feet into the site.

Commissioner Norkus-Crampton: Another question I had is, my understanding is that the conditional use permit for the two dwellings adjacent to the alley from 2.5 stories to three stories, that is to allow for the below-grade units facing the back of the property. My understanding is that it will still be 35 feet or below, is that correct?

Staff Widmeier: Yes.

Commissioner Norkus-Crampton: Is there any reason that we couldn't...instead of saying 2.5 stories to three stories, can we make the conditional use permit read "three stories or 35 feet, whichever is less" rather than dealing with stories, dealing with actual feet of the project.

Staff Widmeier: It complies with the with height requirement. It is considered a three-story building because of the grade change.

Commissioner Norkus-Crampton: At three stories I guess my question is would there be an allowance for a taller building on that site?

Staff Widmeier: No, they would have to come back for Planning Commission approval if they were to make it higher.

Commissioner Norkus-Crampton: It doesn't say feet on here so I was just curious. That would still be at 35 feet or below even though it's going from 2.5 to three stories?

Staff Widmeier: Right. If they were going over 35 feet, they would have to amend their conditional use permit.

Commissioner Norkus-Crampton: Ok. Thank you very much.

President Motzenbecker opened the public hearing.

Al Smith (3018 Fremont Ave): There's really no room there for an eight dwelling apartment. If we want a problem like you had on Lyndale and Lowry, that apartment will probably be more trouble than it's worth. There will be a lot of trouble and there will be more traffic there. A fence is not going to keep kids... eight dwellings there is just too much. They're all one-family dwellings in that area. We've got an apartment on Lowry... I've been there nine years or so and I don't think the property can take that much. It will be a Lyndale and Lowry problem before renovation on that area.

Rosemary Dolata (3728 Pillsbury Ave): I'm with LHB, the architect of record for this project. I've been working very closely with the Hawthorne neighborhood. In general we have received a lot of support on the project. To address Mr. Smith's concerns, what we're looking at is eight units on four single-family home sites so actually the density would be very consistent with duplex level density as opposed to an apartment building. The cottage style homes that are each two bedrooms. In terms of increased density and increased traffic, I doubt that there is any likelihood of a problem. In fact, being home-ownership units I think it will be an amenity to the neighborhood.

President Motzenbecker closed the public hearing.

Commissioner Norkus-Crampton: I'd like to move that we accept this application. It sounds like a really great project. I had a couple of questions about it, but I think it fits in well. I think there was a lot of care taken to make sure that the exterior has a lot of curb appeal to it. I'm glad to see that there is going to be some fencing and things around there to make it more family friendly and make the property safer and I think it's a great project and I hope it's going to be a nice addition to the community.

Commissioner Tucker: I will move staff recommendation on items A through I (Norkus-Crampton seconded).

President Motzenbecker: Moved and seconded. All those in favor? Opposed?

The motion carried 7-0.

9. 2833 Lyndale Mixed-Use Development (BZZ-3331, Ward: 6), 2829-2833 Lyndale Ave S (Janelle Widmeier).

A. Rezoning: Application by Ted Redmond, on behalf of Lyndale Development, LLC, for a petition to rezone the properties of 2829-2833 Lyndale Ave S from C2 Neighborhood Corridor Commercial District and I1 Light Industrial District to C3A Community Activity Center District.

Action: The City Planning Commission recommended that the City Council adopt the findings and **approve** the petition to rezone the properties of 2829-2833 Lyndale Ave S from the C2 District and I1 District to the C3A District.

B. Conditional Use Permit: Application by Ted Redmond, on behalf of Lyndale Development, LLC, for a conditional use permit to allow 109 dwelling units for the properties located at 2829-2833 Lyndale Ave S.

Action: The City Planning Commission adopted the findings and **approved** the application for a conditional use permit to allow 109 dwelling units for the properties located at 2829-2833 Lyndale Ave S.

C. Conditional Use Permit: Application by Ted Redmond, on behalf of Lyndale Development, LLC, for a conditional use permit to increase the maximum allowed height from 4 stories to 6 stories and from 56 feet to 71 feet for the properties located at 2829-2833 Lyndale Ave S.

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 4 stories to 6 stories and from 56 feet to 71 feet for the properties located at 2829-2833 Lyndale Ave S.

D. Variance: Application by Ted Redmond, on behalf of Lyndale Development, LLC, for a variance to reduce the front yard requirement along Garfield Ave from 13 feet to 11.5 feet for the first 40 feet from the residential property to the north to allow the building located at 2829-2833 Lyndale Ave S.

Action: The City Planning Commission adopted the findings and **approved** the application for a variance to reduce the front yard requirement along Garfield Ave from 13 feet to 11.5 feet for the first 40 feet from the residential property to the north to allow the building for the properties located at 2829-2833 Lyndale Ave S.

E. Variance: Application by Ted Redmond, on behalf of Lyndale Development, LLC, for a variance to reduce the interior side yard along the south property line from 15 feet to 1.5 feet to allow the building for the properties located at 2829-2833 Lyndale Ave S.

Action: The City Planning Commission adopted the findings and **approved** the application for a variance to reduce the interior side yard along the south property line from 15 feet to 1.5 feet to allow the building for the properties located at 2829-2833 Lyndale Ave S.

F. Variance: Application by Ted Redmond, on behalf of Lyndale Development, LLC, for a variance to reduce the interior side yard along the north property line adjacent to the property of 2827 Lyndale Ave S from 15 feet to 4.5 feet for the properties located at 2829-2833 Lyndale Ave S.

Action: The City Planning Commission adopted the findings and **approved** the application for a variance to reduce the interior side yard along the north property line adjacent to the property of 2827 Lyndale Ave S from 15 feet to 4.5 feet for the properties located at 2829-2833 Lyndale Ave S.

G. Variance: Application by Ted Redmond, on behalf of Lyndale Development, LLC, for a variance to reduce the interior side yard along the north property line adjacent to the east/west alley from 15 feet to 7 feet to allow the building for the properties located at 2829-2833 Lyndale Ave S.

Action: The City Planning Commission adopted the findings and **approved** the application for a variance to reduce the interior side yard along the north property line adjacent to the east/west alley from 15 feet to 7 feet to allow the building for the properties located at 2829-2833 Lyndale Ave S.

H. Site Plan Review: Application by Ted Redmond, on behalf of Lyndale Development, LLC, for a site plan review for the properties located at 2829-2833 Lyndale Ave S.

Action: The City Planning Commission adopted the findings and **approved** the application for site plan review to allow a mixed use building with 109 dwelling units for the properties located at 2829-2833 Lyndale Ave S, 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 February 9, 2008, or the permit may be revoked for non-compliance.
3. First floor windows shall have clear or lightly tinted glass with a visible light transmittance ratio of 0.6 or higher as required by section 530.120 of the zoning code.
4. Separate, secure entrances and hallways shall be provided for the residences as required by section 548.170 of the zoning code.
5. Screening of the surface parking and loading area shall be provided as required by section 530.170(b)(2) of the zoning code.
6. Applicant shall work with staff to increase the size of the opening providing access from Lyndale Avenue to the proposed promenade along the Midtown Greenway.

Staff Widmeier presented the staff report.

Commissioner Tucker: I want to compliment staff on a couple of additions to the written report that I appreciate. One is the little diagram showing the setback request for variances. That helped me particularly on that northern edge with the zigzagging following...sometimes the text gets a little confusing. The second is on page 25, maybe elsewhere, where you're talking about alternative compliance, you have a slightly different format which I found a lot easier to read. I appreciate you doing that.

Commissioner Schiff: Janelle, where are we with sidewalk widths? Can you go around the perimeter of the development and tell us what we ended up with?

Staff Widmeier: On Lyndale they are putting in what's along the rest of the street which is...there's a survey in here, I'm hoping there's a dimension. I don't recall what the dimension is, but I know it was consistent with the other sidewalks on Lyndale. As far as the boulevard goes, I believe it's more than eight feet. I'm not sure of the exact dimension.

President Motzenbecker: From looking at the scale, it does look close to eight feet, but maybe the applicant can clarify.

Chip Johnson [not on sign-in sheet]: I'm with the Turnstone Group, which is a partner in the Lyndale Redevelopment LLC. Janelle did a great job talking about the project so I just want to reiterate a few things. We tried to keep the density at Lyndale with this project. It also fits in with some of the planned projects for the neighborhood; they're not actually in this Ward, but across the street on Lyndale. We also tried to do design that will be conducive, possibly, if homeownership comes back, that would be conducive to condominium conversion and of course we wanted to do a project that was financially feasible. We feel we've come together here with all those forces joined to complete a project that works on all those fronts.

President Motzenbecker: One of the things that we had discussed at the Committee of the Whole was on the west elevation of the building where the pillars meet the Greenway. I know it was kind of a consensus among the Commissioners that felt like it was a little bit closed off and we were asking that you maybe open that up a little bit more to help draw people in through that, especially in light of the Midtown Greenway Plan and this idea to kind of have a promenade and walkway space along there. I can see by the renderings we were given that it wasn't changed at all so I was just wondering if we had addressed that at all.

Ted Redmond [not on sign-in sheet]: The shortest answer is no, there is not an additional opening. Our hope was that the openness in the plan and creating these pools of space along the Greenway would provide that openness, but we're certainly open to the idea of creating an additional opening if that were appropriate.

President Motzenbecker: Yeah, just to maybe pull that column back a little bit. I think it was the feeling that it just felt like it was closed off and made it more of a private space and if it's supposed to have a public component to it, we wanted to encourage more public interaction with that space.

Ted Redmond: I think we could understand that spirit. What our hope is, in both model form and rendering form, it ends up reading a little bit different. Part of our hope, partially through lighting for instance so that during the evening hours we get pools of light and so for, that this area actually becomes a very opening and welcoming area. Our intention is that this solid form here acts as a juxtaposition against the very open lower level which is all glass encased and then ends in this long promenade back into the Greenway area. It was actually our hope that by creating a little bit more solid form there that we create a stronger dichotomy and actually draw attention to that open area. That's certainly a detail that we will be refining as we move forward.

Commissioner Tucker: A couple of questions about the fifth story setback, I think in the staff report it said that the shadow would be less because the fifth story is set back, but in fact, with

that balcony level over it, it doesn't really cast less shadow than if the fifth floor were the same as the fourth floor, is that correct?

Ted Redmond: We have done shadow studies...

Commissioner Tucker: I'm talking about the Lyndale frontage.

Ted Redmond: Very little. This casts, essentially, the same kind of shadow...well, not the north, but to the east as we're getting to the late evening hours, this casts essentially the same kind of shadows if it were off to the edge.

Commissioner Tucker: Did you explore pulling back the fifth floor more without that balcony so that from the street it might read more like a four-story building with a two-story penthouse or something like that to diminish the massing as seen from the street [tape ended].

Ted Redmond: Yes we did. What we were discovering is that as this plane was removed, this mass, the upper two levels, ended up reading more like a mass.

Commissioner Tucker: So you think that balcony hides the sixth floor from the street?

Ted Redmond: Exactly. From a distance... what we're really trying to create is an emphasis on this fourth floor mass letting this become more of a wider cap and this edge beginning to be the emphasis so that when you're at the street level and even from some distance, the upper most level is...

Commission Tucker: Do you have any sections showing what the view is from the other side of Lyndale?

Ted Redmond: I'm not sure if we have that with us. We do not have that with us.

Commissioner Tucker: I would think if that would disappear as you saw it from the other side of Lyndale, that would help address some of the concerns about the height of the building compared to other nearby buildings.

Commissioner Huynh: Regarding the letter from the neighborhood here, there's a motion carried for five stories or 56 feet for the massing that's next to Lyndale, is it a different... is it just that the letter is not properly written, or did they not see the six-story proposal?

Chip Johnson: We went to the neighborhood on two occasions. The first occasion, six stories, it was not a formal approval, it was discussion, and six-stories were discussed. Everything went forward and went to the board. The board wanted to see it reviewed again down at five stories. It went back and was presented to the neighborhood again with... we understood the density. We brought down Garfield. We originally had Garfield at four stories. We brought Garfield down to two stories. We kept the massing up on Lyndale. We brought it down from 124 to 109 units which was really our minimum to make the project financially feasible. We thought that it's better to keep the massing up front instead of on the Garfield side of the project. It was approved by the neighborhood with the two stories on Garfield and only the five on Lyndale, but we couldn't make the project work with the five stories on Lyndale and two stories on Garfield. We

felt that if you pushed down Lyndale that something else would have to come up. We thought it was better for the neighborhood to have the massing on Lyndale.

Commissioner Schiff: Can you answer the sidewalk width question on Lyndale?

Ted Redmond: Unfortunately, we do not have dimensions on that, but I can say we're matching existing conditions on the sidewalk as we move further to the north.

Commissioner Schiff: Ok. I'll make a motion and we'll see what that does to the approvals.

President Motzenbecker opened the public hearing.

Nick Hegarty (2828 Garfield Ave) [not on sign-in sheet]: I attended the Whittier Association meetings and expressed the same set of opinions. My concerns are primarily with the proposals C and G which relate to the proposed height of the building as well its proximity to the north side of the property line where variances were requested in both cases. My concern as a homeowner is the shadows that are going to be cast on my property as well as the privacy. Looking at the shadow study diagrams that have been done, it looks as though for the majority of winter months my house will be under the shadow of these buildings. This is December noon and this is my house right here. It gets worse from there looking at the 3 o'clock picture. The second one, and I think probably the more important one for me is the scale of the building in comparison to the scale of the buildings in the rest of the neighborhood. I drew up a non-scientific picture because I wouldn't expect the developers to include my house in their pictures, but this is my diagram showing the west side, the view from Garfield Avenue. This is my house surrounded by this rather imposing structure. That's my concern in terms of the scale. If I understand this proposal correctly, these units are all going to be having balconies. I'm kind of nestled in this "L" of apartments where their balconies basically overlook my back yard and that's a significant concern for me given that my back yard is no longer... I have a fence around my back yard and a hedge to sort of get some sort of privacy, but I can't compete with a six-story building in my back yard. Just reading through the documentation prepared by the Planning Division, it seemed as though the justification for the variance was based on whether the property is unusable if the variance isn't granted and I'm not sure that I understand how the property implicitly is unusable without asking for this additional 15 feet of height and this additional five feet to the north side of the property line.

Larry Luedeman (2817 Garfield Ave S): I'm a member of the Whittier Alliance board. I'd like to say that I, and most of my neighbors, are very approving of this project. We are happy this site is going to be redeveloped. We think it's a quality design and think they have quality materials. There is only one issue that dominates our negative thinking about the project and that's the CUP request from 56 feet to 71 feet. Some of the issues that Nick brought up in regard to shadowing; shadowing will occur at 56 feet and certainly at 71. It's going to be more difficult for those who are next to that building. However, a broader issue is the scope of the massing of this building in a block where, from 29th Street to 28th Street along Lyndale Avenue, there are only one and two-story buildings. These are not junk buildings. In fact, one is a building that was built within the last year and the remainder have all been significantly renovated within the last decade. It's not as if this area is ripe to be blown down and redeveloped entirely. My concern is that at 56 feet this building is going to tower over the other buildings in the neighborhood as well as the residential neighborhood. At 71 feet it's truly going to dwarf it. There's been an argument presented that this is a high density neighborhood and that Lyn-Lake has set a precedent for six-

story buildings. It's true. There is a precedent at Lyn-Lake. The Calhoun building, a commercial building, is about that height. The Uptown Apartments that were developed by Village Green are about that height. You have to keep in mind that the Lyn-Lake intersection, although only a block away, is a highly active, highly congested area and when you cross the Greenway it's almost like crossing a river and going into a different neighborhood that's making a transition into a different neighborhood of smaller businesses and smaller residences. I extend my appreciation to the developer with whom I've met personally. I am happy this is going to take place. I realize they're going to spend millions of dollars on this project, however, I think that a developer has an obligation to fit into an existing community and that the existing community should not have to be accommodating to a new development, entirely. The existing community, you have to remember, the last 10, 20 or 30 years, has spent a lot of money renovating these buildings, creating a vision for the neighborhood and spending a lot of money on real estate taxes as well.

Ted Redmond: If I may, we've looked at the sidewalk and wanted to clarify that from the curb to the property line along Lyndale is approximately 20 feet, which is composed of about eight feet worth of streetscaping strip and about 12 feet of sidewalk. On the property side of that we have an eight foot sidewalk area as well. I'm not sure if that's the area you were referring to.

Commissioner Schiff: From curb to building front how many feet?

Ted Redmond: From curb to the first floor building face is actually 28, but as we move up, the upper floors overhang the first floor so it's about 20 feet then.

Commissioner Schiff: Ok. What is the width of the boulevard?

Ted Redmond: The landscaping strip there and the boulevard is approximately eight feet.

Commissioner Schiff: Ok. The remainder will be... you won't have an interior boulevard so it would be 12 feet of sidewalk in addition to an eight foot wide boulevard. Great. That's substantially wider than the existing sidewalk and wider than the existing boulevard and I think that's both appropriate for a commercial corridor because certainly the present day six foot sidewalk is not what you'll need to accommodate this kind of retail and this type of pedestrian activity.

Ted Redmond: If I may clarify further on some of the shadowing. The massing of the building...this is the sixth floor portion that we're proposing, this is four floors with a fifth floor push back and this is a two story portion. This is taken at noon, but what this tries to illustrate is that the sixth story portion does extend up further than the fifth story portion as far as shadow, but you can see that it would actually be the fifth story portion that's going to begin to impact those houses as we move into 2 o'clock or so in the afternoon on December 21st as we're showing right here. What I'm trying to indicate is that even if we were able to reduce the sixth story portion, the shadowing on the adjacent properties does not improve at all. In fact, having to take the Garfield from two floors, which we thought was the most ideal situation for Garfield, up to three or four stories in order to take care of those units. We were concerned it would actually impact these residents more than what we currently have.

President Motzenbecker: Do you have any idea of the difference from one story removed from any development and the change in shadowing? As I recall in the past it has been fairly minimal

from just taking off one story. To get a big change in the shadowing it seemed to be it had to be like two or three stories to really make a difference. I'm just asking if you have any idea and you can point on there how much you think it would reduce.

Ted Redmond: It's a great question and I would love to tell you that it's only a couple of inches, but being honest...this being the worst case scenario, the December 21st... sun angles in Minneapolis are roughly at 27 or 28 degrees which means for every story that shadow would be the height of that story plus maybe a third of that height or so. What I was trying to indicate is that actually reducing this sixth floor down, what would end up happening is that shadow in this section would disappear which would certainly not be a bad thing, but what it really ends up impacting is this commercial parking area. As the sun moves and sets, that shadow for the sixth story stretches across here and by the time it starts hitting this area which is beginning to affect the neighbors it's getting close to 4 o'clock in the afternoon when the sun is setting and even if we were doing a two-story building everything would be into shadow. Our concern is that, in reverse, if this goes from a two-story building to a four-story portion, then we start adding...

President Motzenbecker: Yeah, I understood that.

Commissioner Tucker: What's the height to that balcony over the fifth floor, in feet as measured the Planning Department measures?

Ted Redmond: That portion is approximately 60 feet. This portion right here is approximately 60 feet.

Commissioner Tucker: So the sixth floor is about 11 feet?

Ted Redmond: Approximately, yes. We do have a board which illustrates comparative height, but I won't go into that unless somebody wants us to.

Kathleen Kielkopf (2825 Garfield Ave S): I'm just worried about the size of the building. I am glad it's going to be developed, but it is going to be huge compared to the buildings around it. It's going to cause a lot of shadowing.

President Motzenbecker closed the public hearing.

Commissioner Tucker: I will move staff recommendation and findings for item A to rezone (Schiff seconded).

President Motzenbecker: Moved and seconded, any further discussion?

Commissioner Norkus-Crampton: I'm having some qualms about the extent of the rezoning here mostly because we're going to have C3A right next to R2B, we see this scale as the existing in terms of the commercial as well as the residential housing as drawn in the pictures and it literally is one to two and a half stories. Even with a C3A we still need conditional use permits to go from 56 feet to 71 feet. I appreciate the townhome exposure on the east side of the building so there is some sort of relationship to the existing, but the scale right behind it certainly... that still makes a huge impact on the surrounding communities and it is a huge change. I don't have an alternative proposal, but I'm just saying that in my mind if you have to go from R2B to C3A as well as a CUP from 56 to 71 feet it seems like we're stretching here.

President Motzenbecker: It's not going from R2B. It's from C2 and I1.

Commissioner Norkus-Crampton: Right, but I'm saying that what's going to be around it. What would have been allowed in C2 and I1 in relationship to the surrounding...

President Motzenbecker: I just wanted to clarify because it sounded...

Commissioner Norkus-Crampton: Sure. We're going basically from 35 feet with 71 feet within a quarter block away or whatever. It just seems like a huge massing as well as... even with the zoning we still have to make a huge conditional use permit to allow this project as proposed and I have some concerns about that.

President Motzenbecker: In C2 they could build a building that's 56 feet, by right.

Commissioner Norkus-Crampton: I understand that, but they're not asking for 56, they're asking for 71 feet.

President Motzenbecker: Anyone else? All those in favor? Opposed?

The motion carried 6-1.

Commissioner Tucker: I will move item B, the CUP for 109 dwelling units, the staff recommendation to approve and its findings (Huynh seconded).

President Motzenbecker: Moved and seconded, any further discussion? All those in favor? Opposed?

The motion carried 7-0.

Commissioner Tucker: I will move item C, a CUP for the height of the building from four to six stories and from 56 feet to 71 feet, but only with the condition that the sixth floor be set back at least 15 feet from the balcony line above the fifth floor (Norkus-Crampton seconded). My reasoning there is...I'll talk about it if I can get a second.

President Motzenbecker: It was seconded.

Commissioner Tucker: I was persuaded by the architect's assertion that the balcony does hide the sixth floor to a certain degree, but I think it needs to be set back a little bit more for that to actually work. When you're on the sidewalk on that side of the street that balcony probably totally obscures the sixth floor, but when you're across the street, as plenty of people will be, I think you can still see quite a bit of it. If it were set back, and I'm just picking 15 feet, but I think that would probably make a substantial difference. The apparent height of the building would not be so great and it would probably read more as a five-story building now at 60 feet rather than 56. That's what I have in mind to allow the development to proceed, add a lot of housing to the neighborhood, but also to deal with the concerns of the neighborhood of this extraordinarily large massing in an area that has smaller buildings.

Commissioner El-Hindi: I have a question to the applicant in regards to this condition that was just suggested and that is, have there been any studies done in terms of shadowing that would

show the height of that sixth story and when that would diminish as a factor in terms of the shadowing how far you pull it back. Maybe it's less than 15 feet.

Ted Redmond: If I may answer first with a question to make sure I understand what's being presented... just as a clarification, we're looking at the fifth floor, but it helps us to understand this a little bit because we see the mass in the center, this portion is the portion which is set back. This heavy dashed line would be that brow, the eyebrow that sticks out, and this would be Lyndale off to the side. Is it this distance here from the eyebrow so-to-speak to the face of the building along Lyndale that is what you're...

Commissioner Tucker: That's what I had in mind. Perhaps along the north side it might also work the same way. The south side against the Greenway, that's part of your aesthetic scheme is to have an anchor there so I don't want to mess with that. I will clarify my condition that it be on the Lyndale side from where that staircase is, north and the north side of the six story building.

Ted Redmond: As a clarification, just so you're aware of what we have. On the north side of the building here, this edge from the brow to the face of the building – we're at 13 and a half feet so we're quite close and that would be an achievable difference for us to make. Along Lyndale we're at approximately seven feet right now so it'd be a doubling of that setback. What we've done is we're trying to setback that same distance on both the east and west side. With the intention of being to split the difference, if you will, in terms of reducing visibility from Lyndale as well as reducing shadow to the neighborhoods because it's the eastern edge which that shadow has. I think we're trying to split that difference by setting it back in both levels. To answer the question related to shadow, we did do a shadow study at five floors. I did not bring that with me and I apologize for that. What ends up happening is this mass, which is actually that center portion, you can see that little corner right there, that is that corner which is actually a four-story building mass and it's that mass which ends up putting the residents in shadow. It's somewhere around 2 o'clock in the afternoon. As we move out of December it starts getting better. I'm not sure if that helps answer your question at all.

Commissioner El-Hindi: I think a little bit. I guess what my question was, was to the six-story portion of the building that is on Lyndale. You've set that back seven feet on Lyndale and 13 and a half feet to the north. That 13 and a half feet setback to the north side, how much shadow did it take off?

Ted Redmond: I don't have an exact figure but I can tell you it's more than a one for one return. In other words, the 13 feet in the worst case scenario on that very worst day when the sun is less than 30 degrees, we're saving a little bit more than 13 feet worth of shadow footprint, if you will. Which is, again, part of the reason why our massing had that upper floor centered and trying to take advantage of a reduced footprint because the upper level can only be so small and still get livable units in there. We tried to center that such that we would save as much shadow as possible and reduce as much visibility as possible.

Commissioner El-Hindi: Thank you. I understand now.

Ted Redmond: The loss of square footage would be significant if we pulled back on the upper floor.

President Motzenbecker: I just want to clarify, Commissioner Tucker, was your statement directly related to shadowing?

Commissioner Tucker: Mine was not related to shadowing, it was related to the visible mass as seen from Lyndale. That's the reason for pulling it back. I think from the same side of the street that balcony would probably already obscure the sixth floor, but from the other side of the street...

President Motzenbecker: I would offer that if you're looking from the other side of the street I don't think moving it back any would make a difference because it's still going to read as a straight façade. You're not going to see that movement back causing you to think it's a less of a mass.

Commissioner Tucker: I think you would just see less of the top the further back it is. It would read as a separate item, a penthouse.

Commissioner El-Hindi: Does the applicant have any pedestrian views from the street looking towards the building so we can address the issue that Commissioner Tucker has brought up?

Ted Redmond: We're searching for model photos. Other than that, just the model which is difficult to know what angle you're at. We do not have renderings of it, no.

President Motzenbecker: If you want to set the model up here maybe some of the Commissioners can take a peek at it a little closer.

Commissioner Nordyke: I'm not sure that aesthetically I agree with Commissioner Tucker's attempt, but even if I did, I think the return on that is not sufficiently put to make them go through those kind of hoops. The loss of space on this is significant and I'm not sure that we're really going to achieve what Commissioner Tucker is trying to achieve so I would speak against the motion.

Commissioner Norkus-Crampton: I would like to speak in support of Commissioner Tucker's motion. I think there are other buildings that I have seen throughout the city where additions are added on top of the structures and because of the nature of the setback; it makes much less of an imposition at the street. I think the issue with this building is that there aren't any hidden sides. Every side of this project is very public. You have Lyndale, you've got the Greenway, you've got Garfield and then you've got a very visible building on the north side as well because of it's massing compared to the other things around it. Anything that we can do to start trying to diminish the appearance of that mass will not only help with shadowing... and we haven't seen any shadow studies how it affects Lyndale and that is a public thoroughfare as well. I think it would create less of a sense of... it would help address the massing issue, which the residents have all brought up as one of the issues as well as shadowing. It's the appearance of the mass at the site. I think this is a step that could go towards addressing those concerns.

Commissioner Huynh: I guess my comment would address the building mass and setbacks. I think that the design appropriately addresses shadowing by stepping back on all the masses, especially looking at the Garfield portion where you have two stories and the center portion where you have four stories plus the recessed area on the fifth floor. The area along Lyndale is along a commercial corridor and I think that it calls for additional height. I think that the building

design applicant and architect addressed that with the setback. Your perception of what the building height would be on the same side of the Lyndale... on the east side would actually read as a five-story with a six-story setback with not seeing the six stories, but if you were on the other side. Regardless if you had it at the 6-2 where it is right now or 10 or 15 I think it would still read as a six-story building. I wouldn't see it helping to reduce the mass of the building by any means. I would go with staff support in keeping the setback as is.

Commissioner Schiff: I'll suggest to Planning Commissioners that we keep this in mind as a policy towards community corridors. I made the motion to setback a large building for Calhoun Square several feet because I thought that would improve its massing along Lake Street and set a precedent for how we want to treat commercial corridors. I can't tell which way the vote is going to go on this one, but I think we should keep in mind a community corridor policy as Lyndale doesn't have a comprehensive plan yet, but clearly this is the kind of density we will need in the future to fill in our commercial corridors and to keep the massing off of the side streets like Garfield. I think the way that this steps down to two stories on Garfield, really allows us to fit in well with the neighborhood contrary to a statement that was made earlier. I think the architects have done a lot to fit this in. Let's think of this as a commercial corridor/community corridor policy for setbacks of tall buildings and not get in this position 15 feet plus or minus on a case by case basis and discuss this a little bit further at a future Committee of the Whole meeting.

Commissioner LaShomb: I think we approved a substantial number of units and I think what would happen is we'd have to go back and do the previous conditional use permit over again unless the units are going to get smaller. If I'm walking down the street and I'm looking at a building, I don't get real excited if the building is a taller building. I don't get really excited about what's going on floors four, five and six. Frankly, what I'm looking at is what is going on on the street more than anything. My reaction is that they've made a sincere effort to set this building back on the sixth floor. I think at seven and a half feet on one side, 13 and a half feet on the other side...if you go back 15 feet on the west side, effectively you're going to have one row of units up there and that means it's going to be a strange "penthouse". I don't know what appropriate height is in some of these neighborhoods. This has been one of the six year issues that I've been around, but I think to say to them "you should set it back even farther"...if you're across the street you're probably still going to be able to see it. Where I see height in buildings is when I'm walking up the street and I'm looking at a building that's a block away. That's where I see height, but across the street I don't see it as an issue. I think, as much as I admire Ted's wisdom on issues, I think on this one that you're going to create a situation where you're not going to get the number of units that you want and basically you're asking them to do something that in the end isn't going to have any substantial impact anyway.

Commissioner El-Hindi: I will second Commissioner LaShomb's argument. I initially thought that Commissioner Tucker was mentioning that this is an issue in regards to shadowing because that is certainly affecting the neighbors substantially. At the same time, I feel like a setback on Lyndale wouldn't really help the neighbors, but rather the setback on the north side maybe could. Right now it's proposed that it's 13 foot seven and the question would be... and that's why I asked the applicant...if we increased that, would it really affect the neighbor to the north and the answer, in the winter month, that it doesn't. The sixth floor shadow would be thrown on the roof of that building before it actually affects the neighbors so it seems to me that maybe in that case I would say that I would go with the recommendation of the city staff.

President Motzenbecker: We have before us the CUP for the height of the building from four to six stories, 56 to 71 feet. The one we are voting on is with Commissioner Tucker's condition that the sixth floor be set back 15 feet at a minimum. All those in favor of the motion? Opposed?

The motion failed 5-2.

Commissioner Tucker: I will try the staff recommendation for approval and its findings (El-Hindi second).

The motion carried 7-0.

Commissioner Tucker: I will move variances D, E, F and G as recommended by staff to approve (El-Hindi seconded).

President Motzenbecker: Any discussion on those? All those in favor? Opposed?

The motions carried 7-0.

Commissioner Tucker: I will move the staff recommendation to approve the site plan review.

Commissioner El-Hindi: Are we going to address any of the issues that were brought up? The first question that you had brought up in regards to access to the public from Lyndale to the Greenway. Is that something you would address here or not?

President Motzenbecker: I would ask that the applicant, as a condition, work with staff on lightening that up. Perhaps there are holes that can be punched through or something to give it some porosity. All those in favor? Opposed?

The motion carried 7-0.

10. Seward Longfellow Greenway Area Land Use and Pre-Development Study (Wards: 2, 9) ([Mike Larson](#)). This item was continued from the December 18, 2006 meeting.

A. Land Use Plan: Consideration of City Council adoption of the ***Seward Longfellow Greenway Area Land Use and Pre-Development Study***.

Action: The City Planning Commission recommended that the City Council **adopt** the Seward Longfellow Land Use and Pre-Development Study document as small area plan and as an articulation of and amendment to the comprehensive plan's policies, subject to review and approval by the Metropolitan Council, and subject to the creation of a companion document to be distributed with and accompany the document and which will include:

1. The adapted Land Use and Development District Maps
2. Development District and Building Type illustrations and descriptions
3. A Proposed Public Realm Features Map
4. Corrections, changes, and clarifications recommended by staff, as identified in the staff report and in the attached Table of Comments and Staff Responses.
5. The following changes:

- a. On the Development Districts map, eliminate category 2, Urban-Oriented, from the area east of 34th Avenue and north of the Midtown Greenway. This area will be changed to category 1, Neighborhood Oriented. Also amend the Future Land Use map to reflect low density in that location.
- b. Change the designation of the Minnehaha Center site on the Future Land Use map from "Commercial (preferred mixed-use)" to "Mixed Use."

Mike Larson presented the staff report.

Commissioner Schiff: Thanks for your work on this. I know this has been delayed many years from when all the community meetings took place. I remember the last time there were community meetings, this discussion about what's really a Catch 22 between visionary planning and pragmatic economic development in a recognition that some of the industrial uses are harmful to the surrounding residences, which are primarily single family homes, and a recognition that if we ever want to phase out the intensive industrial uses, you have to clean up the land and you can't do that and pay for itself with another single family home which brings the necessity of multi-family housing. The area is not well served by transit and it's not a growth corridor and it's not a commercial corridor or community corridor so more multi-family housing will just mean more cars and more congestion and perhaps a decrease in air quality. How do we resolve this? It's not a priority growth area for the city. Getting rid of industrial is not a priority for the city. It started off from a priority from the neighborhood of wanting to get rid of the few industrial uses that are deemed to be negative on the surrounding residential area. How does this balance out for the final policy document because I'm still torn as to whether or not we're just making a statement here that we're never going to follow through on or is this really a plan that's going to lead to economic development for the city.

Staff Larson: I think you've articulated the policy conundrums as part of this project. It was a challenging planning project for the neighborhood. One of the strengths of the plan is that it attempts to identify opportunity sites that are key in the corridor. Those opportunity sites include sites on the east that have less of a contiguous area or smaller more obsolete sites where they would have a bigger urban design impact. I think the cumulative impact of the number of residential uses in these opportunity sites do not have a significant impact on traffic in the area. Another strength of the plan is, as part of its conceptual site planning for these opportunity sites, attempted to look at redevelopment site plans that would improve upon adjacent land-use conflicts and access to certain properties. In addition to looking at improvements to the Empire Glass building, façade improvements as being one acceptable alternative, redevelopment of the Empire Glass building, should that ever be desired by the property owner, that might leverage an opportunity to create better access to the block of industrial here from 26th and eliminate land-use conflicts that occur in this odd area with 27th Street, 34th Avenue and the Greenway. It's a very challenging urban planning project.

Commissioner Norkus-Crampton: I appreciate Council Member Schiff's comments because that's the same thing that keeps occurring to me. At this point we are talking about a freight line with a bike trail next to it and I'm trying to figure out why we're moving from industrial, which appears to be potentially used by...that can be enhanced by the use of the freight line and the existing infrastructure to eventually higher density residential which doesn't seem to be served by the present infrastructure. Is there some plan, I haven't heard anything that this part of that transit corridor is on anybody's radar as far as a light rail or a street car anytime soon, correct? So that is

not going to change. I'm also curious about the existing industrial base because we have been talking a lot about preserving industrial jobs within the city. Have these been nuisance properties? I see there could be a potential for conflict, but on the ground have there been a lot of conflicts between the present uses and the surrounding residential?

Staff Larson: To answer your first question, I can tell you a little bit about rail infrastructure and transit planning in the corridor. You're right. In fact, this is still an active freight rail corridor and it is serving a couple of active uses. ADM and General Mills and the Leder Brothers Recycling facility just south of 32nd I believe. Should those uses cease to exist, that would open up a great number of development opportunities as well as opportunities such as a Greenway connection down to Lake Street for example, as well as improve the market conditions for some of these opportunity sites. It's difficult to say when that would be. You're correct; this portion of the Greenway is not anticipated for either light rail or a street car so it would remain a linear bike corridor. To answer your second question, it is my understanding that there is a great deal of support for the industrial base in the neighborhood. With the exception of the operations at Metro Produce, my understanding is that the number of nuisances are limited with the other industrial uses.

Commissioner Norkus-Crampton: I was noticing that there was a memorandum from John Harrington in our packet. This is referring to the goal of industrial land uses, preserving jobs. This is dated May 2006 so maybe it's obsolete at this point, but one of the things they talked about with the opportunity sites that were mentioned in this plan is that this conversion would represent a net loss of slightly more than 10 acres of industrial use and corresponding employment. They strongly recommending that an equivalent acreage be added to an existing industrial zone and view the extremely limited universe of available industrial locations, relocations of these uses and these proposed opportunity sites could be expected to be subject to strong competition for potential sites by alternative industrial users. I know we just passed an industrial land use plan, has that been addressed in that plan or we'd still end up with these transitions and a net loss of those 10 acres.

Staff Larson: The plan would result in a net loss of industrial land...the city's industrial land use policy, which was adopted, would have that affect overall. The current boundary of the employment district, which from a policy perspective is the employment sanctuary, the city's not implying that that's the extent of future industrial uses. That's the core of the industrial base. As we move east we start to experience problems with access and adjacency. I think we tried to craft policy framework; both in the original text and the maps of the neighborhood plan as well as in the approval language, trying to strike a balance not to indicate that we actively support the transition but we would support improvements in this area and residential redevelopment opportunities in more attractive key locations as well as if there is the market to support Greenway adjacent redevelopment.

President Motzenbecker: Mike, as a transitional industrial, would it be feasible to say that if a light industrial use that could fit in there were to go in there that would be something that would be applicable?

Staff Larson: Just to clarify, you're talking about a new use on an existing...

President Motzenbecker: The future land use plan where it's showing transitional industrial as adaptive reuse.

Staff Larson: My interpretation of this is that this transitional industrial area, in terms of comprehensive planning, our comprehensive plan would call for this area to be future industrial, but for this...because the issues here aren't categorical, they're more contextual that we would support changes in this area. Changes that are either industrial redevelopment or changes to site plans that would improve existing conditions or portions of it as residential or some kind...

President Motzenbecker: So it could go either way, ok.

Commissioner Norkus-Crampton: So just to clarify, there would not be a rezoning study after this plan is passed to zone it so these would sort of be nonconforming uses within a new zoning category or how would we move forward from this plan if it was adopted?

Staff Larson: Our standard practice is to follow all small area plans with rezoning studies at some point in the near future. The direction from this plan would suggest that we would leave the light industrial zoning as it is.

President Motzenbecker opened the public hearing.

Lonnie Nichols (2644 35th Ave S): Thanks for helping set a tone for this discussion and thank you for your time this evening. If you allow me a little latitude, I would like to explain my experience with the community process that occurred as part of this land use plan. It may not have been everyone's best moment, myself included, with the way all this transpired. It seemed like some of the real assets when you look underneath the skin of some of the drive-by planning that occurred to happen, weren't really taken into account and there was a bit of a Bush leagues politics at the local level of not including information that was inconvenient to a sort of desire predetermined outcome. I distributed a couple sheets. I look forward to your future discussion on that when the public hearing is closed. I'll start out by giving an aerial of the Empire block club area and the Empire building. The property owner of the building is here. The other industrial in the area; this is a former StarTribune site that is now open. There's 33rd Avenue here, which I think that if the city and Commission do plan to go ahead with converting to residential in the area, I think that would serve well as the primary entrance and exit to future development that's going to generate a whole lot more traffic than this area currently experiences. Regarding putting a hard stop on... we're going to cut off right here at 34th Street and it's going to be residential and industrial over here, maybe you should just keep the door open and if you really want to pursue something of intensity in terms of density then maybe it should go over here where you have less that exists now that's going to cause some of those problems and those discussions like we experienced tonight about the shadowing and all that. You're not going to be shadowing much if you build it here as opposed to taking out what we neighbors experience as a very good neighbor, Empire Glass, and we hope they stay as long as they want to stay. In the process there was a dichotomy that seemed to take on its own life of the industrial businesses are causing problems and residential development will cure them. This is not what we experience in the Empire area. You'll notice here, 36th Avenue and this is Brackett Park, you go under and this is the Empire Glass area... what you're seeing is the crime map for the Seward neighborhood for all of 2006. I submit to you that this property is not causing problems. If you look at that several block section, it may be one of the few in the city that has that little crime. We don't experience significant problems with traffic. Another part of the process where I felt that some of us who wanted to contribute were shut off and just labeled as nimby's, we weren't able to include things like can we look broader, can we look at the Greenway Phase III as an opportunity to incorporate and get out there on the cutting edge with some alternative energy or possibly district energy

concepts. These were not included in the plans. A discussion that you spent some time on tonight, if a statement like future development will respect and follow the established setbacks and not cast shadows on existing structures, you might eliminate that discussion altogether. I mentioned the one about 33rd Avenue South as maybe a good opportunity for putting a lot of traffic on that street as opposed to creating what I phrased as the public driveway for a future housing development and severely impacting the livability that we currently have on 34th and 35th Avenues. The comment about if, at some point in the future, residential does occur as the map indicates low density in these areas which are 100% pervious parking lots, low density should occur here. We don't really want more than medium density there. We think it'd be great if somebody moved in and built a couple homes there, but that's probably not realistic. Something from my work, so I have to take off my citizen cap and mention about the park dedication fee for the Minneapolis Park and Recreation Board, which I believe there was something like that that was discussed and maybe passed in Phase II of the Greenway when that was adopted. Reflecting on something that was not on your recommendations for consideration, but is the petition letter we passed to consider incorporating all the language that's on that statement into the plan. Thank you for your time.

Mary True (2637 35th Ave S): I just wanted to say that I'd be the last person in the city who wants to live next to industrial. I've lived there four years and I've learned to live with it and learned to appreciate the quiet that it brings the neighborhood, the safety that you saw, the safest place in Seward and Longfellow if you look at both maps and also really respect the business that's there and the owner who looks out for the neighborhood in many ways. I don't think the city can afford to lose any more jobs. The way it is, is the way it could stay and be fine so I don't think we need to mess with it. I think it's a slippery slope from saying that we can have residential there to being high density housing and I think we'd be back here fighting that because our blocks dead-end into that building and that would be hundreds more cars coming through and everyone in the neighborhood that I talked with opposed that too. I would really appreciate leaving things as they are.

Tim Morgan (2628 35th Ave S): The Empire building as been great. I don't think I've heard of any problems with them at all. I've appreciated them as a neighbor. There's a multi-resident building on 36th and 27th and considering the virtual sort of cul-de-sac situation that we have in terms of access points, we have quite a bit of traffic going through 35th Ave S as it is already. I'm concerned about any other use of that space affecting traffic patterns.

President Motzenbecker closed the public hearing.

Commissioner Schiff: I'm going to try an amendment on the floor to the draft map. These pages aren't numbered, but after the Preferred Land Use comes a map with three different colors of orange, ochre and bronze. Development Districts. I'm going to move an amendment that the development district that's category two, urban oriented, not exist east of 36th Avenue South. Did I get the location of the Empire correct?

Staff Larson: The Empire is located across what would be the alignment of 34th Avenue so it's this location here.

Commissioner Schiff: I was off by two blocks. I'd say north of the Greenway that the urban oriented district ends at 34th Ave S. The remainder of that becomes neighborhood oriented.

Staff Larson: All of this?

Commissioner Schiff: Right. To the south of that on the south side of the Greenway is the Shasta site, which is a tremendous redevelopment opportunity but it also works fine as affordable industrial space for multiple tenants, it just doesn't have a lot of jobs per square acre. For all we know in 20 years it could qualify for historic tax credits to become part of a housing development like the Midtown Exchange and a lot of other warehouse buildings of that vintage. It's a gorgeous building. We could leave that open to the possibility if a developer ever steps forward with it. I think a lot of the neighborhood's concerns and my concerns about adding moderate density housing to an area that isn't served well by transit really doesn't match a lot of our planning needs.

President Motzenbecker: So we're changing from 34th Ave SE and then north of the Greenway back to category one, neighborhood oriented. Is that correct?

Commissioner Schiff: Yeah.

Commissioner Norkus-Crampton: I just want to make sure I understand. The Empire Building is at 34th [tape ended]

Staff Larson: Here's 34th Avenue, here's Empire.

Commissioner Norkus-Crampton: So the intention would leave the present zoning of this area untouched, is that the idea? Ok, great. I would really like to second that motion and speak in favor of it. There's a lot of good arguments for increasing density along transit corridors in places that are well served by transit. This doesn't appear to be one of those areas. Even though it's along the Greenway, it's basically a bike trail and freight line and it just doesn't fit with the paradigm that we've been working with and the goals that we have as a city. I think it's a great suggestion. Thanks.

Staff Larson: I have a question for clarification. My understanding is that to the east of 34th Avenue that this development district intensity type be changed to one that's neighborhood oriented. The land use map, west of 34th, has this transitional industrial classification and east has medium density residential classification. That was an adaptation of a conceptual site plan for redevelopment of the Empire Glass site that included a 30 unit residential building, industrial redevelopment west of 34th Avenue and the preservation of a pedestrian easement for a new at-grade pedestrian and bicycle connection to the Greenway. This was clarification of comments I made earlier about using 33rd Avenue to provide access to the remaining industrial properties to the west of 34th. I need some clarification as to if you're going to make that change if you are interested and, also, addressing the land use designations on either side of the alignment of 34th or if you see the extension of pedestrian bicycle alignment on 34th as being an opportunity that you'd like to preserve as reflected by this split land use designation.

Commissioner Schiff: I think that's a fine suggestion. I think 34th is the demarcation and I think the bike suggestion and the easement is really nice and great. There are lots of opportunities for the reuse of that building. I don't want to call it out in a category that also allows a five-story multi-family building. This Commission and the city have always been partial to reusing old buildings and we're quite comfortable with that. That category had a lot of depth in it. If this

motion passes then we can adjust this map accordingly and change it to the more pale yellow category.

Staff Larson: So just this map.

Commissioner Schiff: At this point that was my motion, but I think you're right; all the maps should match up so I'll make a second motion if this passes to change the other map...

Staff Larson: The equivalent change that I believe you're suggesting is that this area be changed to low density which is only up to 15 units an acre which raises concerns about feasibility but maybe that's not as important.

Commissioner Schiff: Right.

Commissioner El-Hindi: Commissioner Schiff, if that stays as the darker yellow, that doesn't mean really change. It would give the flexibility to have just a little more density and it probably makes it more feasible. It doesn't mean that it changes the other thing.

Commissioner Schiff: Keep in mind that when you say the word feasible that it's nobody's plan to convert this building into residential and it's highly polluted. I don't think it's feasible. From the get-go, I don't think any developer would reasonable propose to convert this building into residential at this point in time. We're not really creating any opportunities by being flexible. I don't think we need to worry about it at this point.

Commissioner Tucker: Commissioner Schiff, are you proposing to adopt the plan with this as one amendment and then add another amendment?

Commissioner Schiff: Yes.

President Motzenbecker: Could we add to your amendment to include that?

Commissioner Schiff: Sure. Amend away.

President Motzenbecker: I'll add that we amend the future land use map as well to reflect the low density category.

Commissioner Schiff: I'll second that.

President Motzenbecker: So we have a motion on the floor to approve the development plan with the inclusion of the area as noted from 34th east, north of the Greenway on the development district map to be returned to neighborhood oriented development use and on the Future Land Use map to be returned to low density housing uses.

Commissioner Schiff: Since we're doing an omnibus amendment, the Minnehaha Mall site, one thing that hasn't been commented on now, but I really want to call out, it's really great to see what's really a overlooked mistake of a previous plan, the plan for the Hi-Lake light rail station area called for the Minnehaha Mall to remain as it is today, a one-story commercial strip mall which is kind of ironic as it's right next to the light rail station. Already we just opened up a nice affordable housing project on that site because that developer saw the opportunity and demand for

people to live near transit. There's great services being provided by Alliance Housing now, right next door to Cub Foods. I just want to strengthen that in the Future Land Use map it's colored commercial and then "Preferred Mixed-Use", I'd just like to change that category to "Mixed-Use" just to symbolize we're going to de-emphasize the commercial strip mall that is now and really emphasize a mixed use land use in the future. Third amendment, yep.

Staff Larson: I have one comment. The categories are consistent with the phase one and two plan, that was the reason why it was Preferred Mixed-Use because that's what was done for phase one and two. It does have this companion transit oriented development.

President Motzenbecker: We have three amendments before us. Any further questions? All those in favor? Opposed?

The motion carried 7-0.

11. University Ave SE & 29th Ave SE Development Objectives & Design Guidelines Plan (Ward: 2) ([Jen Jordan](#)).

A. Plan: Consideration of City Council adoption of the *University Ave SE and 29th Ave SE Transit Corridor Development Objectives and Design Guidelines* plan documents.

Action: The City Planning Commission recommended that the City Council approve the University Ave SE & 29th Ave SE Development Objectives and Design Guidelines documents and amend the policy guidance for the area into the City's comprehensive plan.

President Motzenbecker opened the public hearing.

No one was present to speak to the item.

President Motzenbecker closed the public hearing.

Commissioner Tucker moved approval of the staff recommendation (El-Hindi seconded).

The motion carried 7-0.