

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

Rezoning, Conditional Use Permit, Variances and Site Plan Review
BZZ-3334

Date: February 5, 2007

Applicant: Danbar Homes and Mississippi Pathway Development Company LLC, 2708
Crestwood Circle, Minnetonka, MN 55305, (612) 695-4501

Addresses of Property: 2500, 2506 and 2510 Plymouth Avenue North

Project Name: Art Lofts on Plymouth

Contact Person and Phone: Todd Knutson, Bruce Knutson Architects, 530 N. 3rd
Street, Suite 530, Minneapolis, MN 55401, (612) 332-8000 ext. 25

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

Date Application Deemed Complete: January 8, 2007

End of 60-Day Decision Period: March 8, 2007

End of 120-Day Decision Period: On January 24, 2007, Staff sent the applicant a letter
extending the decision period to no later than May 7, 2007.

Ward: 5 **Neighborhood Organization:** Northside Residents Redevelopment Council
(NRRC)

Existing Zoning: R1A (Single-family) district

Proposed Zoning: R4 (Multiple-family) district

Zoning Plate Number: 12

Lot area: 13,729 square feet or .32 acres

Legal Description: 2500 Plymouth Avenue North: Lot 12, Block 4, W H
LAUDERDALES ADDN TO MPLS; 2506 Plymouth Avenue North: Lot 13, Block 4, W
H LAUDERDALES ADDN TO MPLS; 2510 Plymouth Avenue North: Lot 14, Block 4,
W H LAUDERDALES ADDN TO MPLS

Proposed Use: An 8-unit townhome development in the R4 district.

Concurrent Review:

- Petition to rezone the subject parcels from the R1A district to the R4 district.
- Conditional Use Permit for 8 residential dwelling units in the R4 district.

- Variance of the front yard setback requirement from 25.3 feet (subject to a front yard increase) to 10 feet along the east property line adjacent to Sheridan Avenue North.
- Variance of the front yard setback requirement from 15 feet to 10 feet along the south property line adjacent to Plymouth Avenue North
- Site Plan review for 8 residential dwelling units in an L-shaped, 3-story structure.

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

Background: The applicant proposes to construct a new L-shaped, 3-story, 8-unit townhome development located on the properties at 2500, 2506 and 2510 Plymouth Avenue North. The properties are currently zoned R1A which permits single family residential. The applicant proposes to rezone the subject parcels to the R4 district which allows multi-family residential developments. A conditional use permit and site plan review are required for residential developments consisting of 5 or more units. Further, two front yard variances are required for the proposed development: (1) from 25.3 feet (subject to a front yard increase per Section 546.160 of the Zoning Code) to 10 feet along the east property line adjacent to Sheridan Avenue North; (2) from 15 feet to 10 feet along the south property line adjacent to Plymouth Avenue North.

As previously noted, the applicant proposes to construct a 3-story L-shaped structure. Parking is being provided in tuck-under garages located at the rear of the structure/interior of the site. The project has been designed to accommodate spaces for artists to live and work. The applicant is aware that the proposed residential live/work units shall comply with the home occupation standards of Chapter 535 of the zoning code. As proposed each unit would have 3 floors with the main level being the dedicated work space along with a half bath/utility area and either a 1 or 2-stall tuck-under garage. On the second level is the kitchen with dining and living areas which overlook the first level as well as an outdoor terrace area at the rear of unit. The third level would have 2 bedrooms and a full bath. Six of the units will be approximately 1,200 square feet in size and the other two units will be larger; one at 1,388 square feet and the other 1,614 square feet.

Staff has not received official correspondence from the Northside Residents Redevelopment Council (NRRC) stating a position on the proposal. All neighborhood letters received prior to the printing of this report have been attached.

REZONING

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

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

According to the *Minneapolis Plan*, the subject properties are located along Plymouth Avenue North which is a designated Community Corridor and approximately 3 blocks off of Penn Avenue North which is another designated Community Corridor. The following policies are relevant to the proposed development.

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

Relevant Implementation Steps:

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

The project would incorporate an 8-unit townhome development adjacent to a designated Community Corridor.

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

The amendment is in the interest of the property owner. It would allow the applicant to construct an 8-unit townhome development, instead of the allowable single-family dwellings permitted under the existing zoning classification of R1A. However, adopted policies in the comprehensive plan indicate that there is a public interest associated with adding housing capacity in along major corridors. Further, there are several bus lines in close proximity to the subject site.

3. Whether the existing uses of property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification, where the amendment is to change the zoning classification of particular property.

The property is located directly adjacent to Plymouth Avenue North and Sheridan Avenue North. The subject properties are located within a predominantly R1A zoned area as the properties on the north side of Plymouth Avenue North are all zoned R1A within this area. However, there is a mixture of zoning classifications within the immediate vicinity to the south. Directly across Plymouth Avenue North from the subject parcels are R5 zoned properties and some R4 zoned properties further east.

The proposal to rezone the subject site to R4 would seem compatible with the surrounding area and further, the proposed use of the subject site for a

development of moderate density would seem appropriate given the proximity of the properties to a Community Corridor.

4. Whether there are reasonable uses of the property in question permitted under the existing zoning classification, where the amendment is to change the zoning classification of particular property.

There are reasonable uses of the property permitted under the existing R1A zoning classification as single family dwelling units. However, authorizing the rezoning which would allow a development of moderate density which would seem reasonable based on the location and surrounding land uses.

5. Whether there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its present zoning classification, where the amendment is to change the zoning classification of particular property.

Under the 1963 Zoning Code, the subject properties were zoned R1A. Recent developments within the area including the townhome developments that were constructed several blocks to the east of the site as well as the office building at Plymouth and Penn, suggest there has been some level of intensification of development along Plymouth Avenue North.

CONDITIONAL USE PERMIT - for an 8 -unit townhome development

Findings as Required by the Minneapolis Zoning Code:

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

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

The Planning Division does not generally believe that the proposed 8-unit development would be detrimental to or endanger the public health, safety, comfort or general welfare. The applicant proposes to construct an 8-unit townhome on the subject parcels. The proposal meets all of the applicable lot dimension and building bulk requirements in the R4 district for a multi-family development.

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

The Planning Division does not generally believe that an 8-unit multi-family development would be injurious to the use and enjoyment of surrounding property nor would it impede the normal development of the surrounding area. The properties are currently underutilized and vacant.

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

The applicant would be required to work closely with the Public Works Department, the Plan Review Section of the Inspections Department and the various utility companies during the duration of the development to ensure that all procedures are followed in order to comply with city and other applicable requirements.

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

The parking requirement for this development would be 8 spaces. The applicant is providing 12 enclosed parking spaces in ground level tuck-under garages. Three additional surface parking spaces would be provided for a total of 15 off-street parking spaces provided for the development. Staff believes that adequate measures would be provided based on the proposal. No new curb cuts are proposed.

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

According to the *Minneapolis Plan*, the subject properties are located directly adjacent to Plymouth Avenue North which is a designated Community Corridor and three blocks off of Penn Avenue North which is another designated Community Corridor. The following policies are relevant to the proposed development.

- Minneapolis will grow by increasing its supply of housing.
- Improve the availability of housing options for its residents.
- Work with private and other public sector partners to invest in new development that is attractive, functional and adds value to the physical environment.
- Maintain and strengthen the character of the city's various residential neighborhoods.
- Support the development of residential dwellings of appropriate form and density.

The applicant proposes to construct an 8-unit townhome development. This development is in conformance with the above noted principles and policies of the comprehensive plan.

6. And, does in all other respects conform to the applicable regulations of the district in which it is located.

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

VARIANCE – (1) Variance of the front yard setback requirement from 25.3 feet (subject to a front yard increase) to 10 feet along the east property line adjacent to Sheridan Avenue North; (2) Variance of the front yard setback requirement from 15 feet to 10 feet along the south property line adjacent to Plymouth Avenue North.

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

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

Variance of the front yards: It would be difficult to put the property to a reasonable use under the conditions allowed and strict adherence to the regulations of the zoning code would likely cause undue hardship. The property has frontage on two streets, is a reverse corner lot and is therefore subject to two front yard requirements. Further, one of these yards adjacent Sheridan Avenue North is subject to a front yard increase. To require that the L-shaped multi-family structure adhere to the required front yard setbacks would likely result in the loss of units as well as alter the functionality of the development. Staff believes that the proposed setback reductions would still maintain the character of the existing area along both street frontages.

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

Variance of the front yards: The circumstances could be considered unique as the property is subject to two front yards as well as a front yard increase. Based on the lot area and proposed zoning classification, the proposed development on the vacant parcels seems a reasonable use of the subject parcel.

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

Variance of the front yards: Granting the setback variances would likely be in keeping with the spirit and the intent of the ordinance. Further, granting setback variances for the proposed development would likely not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. The established front yard of the residential structure to the north of the subject site along Sheridan Avenue North is 25.3 feet and the established front yard of the residential structure to the west of the subject site along Plymouth Avenue North is 13.9 feet. The applicant is proposing

variances to 10 feet along both frontages. Additionally, the proposed 3-story structure has been designed to fit into the scale and character of the existing residential neighborhood. It is Staff's position that with slight modifications the proposed development would fit well into the developed neighborhood.

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

Variance of the front yards: Staff believes that the granting of the front yard variances would likely have little impact on congestion of area streets or fire safety, nor would the proposed setback be detrimental to welfare or public safety.

SITE PLAN REVIEW

Required Findings for Site Plan Review

A. The site plan conforms to all applicable standards of Chapter 530, Site Plan Review. (See Section A Below for Evaluation.)

B. The site plan conforms to all applicable regulations of the zoning ordinance and is consistent with applicable policies of the comprehensive plan and applicable small area plans adopted by the city council. (See Section B Below for Evaluation.)

Section A: Conformance with Chapter 530 of Zoning Code

BUILDING PLACEMENT AND FAÇADE:

- **Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.**
- **First floor of the building shall be located not more than eight (8) feet from the front lot line (except in C3S District or where a greater yard is required by the zoning ordinance). If located on corner lot, the building wall abutting each street shall be subject to this requirement.**
- **The area between the building and the lot line shall include amenities.**
- **The building shall be oriented so that at least one (1) principal entrance faces the public street. In the case of a corner lot, the principal entrance shall face the front lot line.**
- **Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.**
- **For new construction, the building walls shall provide architectural detail and shall contain windows as required by Chapter 530 in order to create**

visual interest and to increase security of adjacent outdoor spaces by maximizing natural surveillance and visibility.

- **In larger buildings, architectural elements, including recesses or projections, windows and entries, shall be emphasized to divide the building into smaller identifiable sections.**
- **Blank, uninterrupted walls that do not include windows, entries, recesses or projections, or other architectural elements, shall not exceed twenty five (25) feet in length.**
- **Exterior materials shall be durable, including but not limited to masonry, brick, stone, stucco, wood, metal, and glass.**
- **The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.**
- **The use of plain face concrete block as an exterior material shall be prohibited fronting along a public street, public sidewalk, public pathway, or adjacent to a residence or office residence district.**
- **Entrances and windows:**
- **Residential uses:**
 - **Principal entrances shall be clearly defined and emphasized through the use of architectural features such as porches and roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Twenty (20) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:**
 - a. **Windows shall be vertical in proportion.**
 - b. **Windows shall be distributed in a more or less even manner.**
 - **Nonresidential uses:**

Principal entrances shall be clearly defined and emphasized through the use of architectural features such as roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Thirty (30) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:

 - a. **Windows shall be vertical in proportion.**
 - b. **Windows shall be distributed in a more or less even manner.**
 - c. **The bottom of any window used to satisfy the ground floor window requirement may not be more than four (4) feet above the adjacent grade.**
 - d. **First floor or ground floor windows shall have clear or lightly tinted glass with a visible light transmittance ratio of 0.6 or higher.**
 - e. **First floor or ground floor windows shall allow views into and out of the building at eye level. Shelving, mechanical equipment or other similar fixtures shall not block views into**

and out of the building in the area between four (4) and seven (7) feet above the adjacent grade. However, window area in excess of the minimum required area shall not be required to allow views into and out of the building.

- f. Industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, may provide less than thirty (30) percent windows on the walls that face an on-site parking lot, provided the parking lot is not located between the building and a public street, public sidewalk or public pathway.**

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

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

The proposed 8-unit, L-shaped residential structure is oriented towards both Sheridan Avenue North and Plymouth Avenue North. The proposed residences have principal entrances facing the public streets. The building reinforces the street wall and maximizes natural surveillance. The applicant proposes to construct 4 foot wide walkways on site in order to facilitate pedestrian access and circulation. The area between the proposed residential structures and the public streets would have new and existing tree plantings, sod and shrubs. The building is not located within eight feet of the property line as it is subject to both a required front yard and a front yard increase established by the property to the north.

The proposed design of the 3-story structure would incorporate windows at the first floor. At least 20% of the first floor façade that faces a public street or sidewalk shall be windows. The proposed structure meets this requirement along the east elevation adjacent to Sheridan Avenue North as well as along the south elevation adjacent to Plymouth Avenue North as approximately 53% are provided along both frontages. At least 20% of the first floor façade that faces an on-site parking lot shall be windows. There are 3 surface spaces located adjacent to the west property line along the interior side yard. The proposed structure does not meet this requirement as the rear of the structure is almost entirely composed of solid garage doors. Alternative compliance would be necessary. Staff will recommend based on this unique situation that the proposed structure be granted alternative compliance as it would not be practical to require the first floor garages to meet this requirement. Staff will recommend, however, that the Planning Commission require some level of transparency in the wall that encloses the 2nd floor terraces located above the garages. The proposed structure meets the 10% window

requirement on upper floors facing the public streets as well as facing the on-site parking spaces. The windows are vertical in proportion and distributed in a more or less even manner. There are no blank, uninterrupted walls greater than 25 feet in width that do not include windows, entries, recesses or projections, or other architectural elements.

The exterior materials would be compatible on all sides of the proposed building. The applicant is proposing that the exterior of the residential structure be composed of alternating stucco and brick.

The proposed building form and the pitch of the roof line is compatible with the area. The proposed roof line would be flat, and a three-story building would be compatible with other structures in the area.

No parking ramp is proposed as part of the development. All proposed parking for the townhome development would be located at the rear of the structure within tuck-under garages as well as in surface parking spaces located adjacent to the east property line. The applicant proposes a total of 15 parking spaces, 12 enclosed spaces and 3 surface parking spaces.

ACCESS AND CIRCULATION:

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

The multiple principal entrances to the proposed structure are connected via a 4-foot wide concrete walk to the public sidewalk. The parking facilities for each individual unit are located at the rear of the structure/interior of the site in private tuck-under garages.

There are no transit shelters within the development.

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

There would unlikely be significant traffic impacts on the adjacent residential properties.

The surrounding property is predominantly residential, and the proposal to construct an 8-unit townhome development would not be expected to negatively impact the adjacent uses.

There is a public alley adjacent to the site which will be utilized for access to and from the site.

The site has been somewhat designed to minimize the use of impervious surfaces through landscaping, however Staff believes there are additional opportunities to green the site as explained in further detail below. Impervious surfaces would cover approximately 75 percent of the site.

LANDSCAPING AND SCREENING:

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

- **Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.210.**
- **The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.80, as provided in section 530.220.**

The proposal meets the 20% landscape requirement. The total site area is 13,729 square feet or .32 acres and the proposed building footprint on the site would be 5,676 square feet. A total of 1,611 square feet of landscaping would be necessary to meet the 20% requirement. The applicant is providing approximately 3,425 square feet or approximately 42% of the site not occupied by buildings. The zoning code requires that there be at least 5 trees and 12 shrubs. The applicant is proposing to provide 4 trees and 9 shrubs. The proposal is meeting the minimum landscape quantity requirements.

Screening is required adjacent to the west property line as the proposed surface parking spaces abut a residence district and residential use. The applicant is proposing to install a 6 foot tall solid wood fence which meets the screening requirements.

Staff is concerned with the amount of impervious surfaces on site despite the fact that the site does not exceed the maximum permitted under the R4 district standards. Based on the configuration of the proposed structure, there is a large amount of paving located at the rear of the structure. As specified above, all other areas not governed by sections 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees. Should the Planning Commission choose not to grant alternative compliance for the 20% window requirement of the first floor façade that faces an on-site parking lot along the north and west elevations, Staff would recommend the removal of the 3 surface parking spaces and thus the expansion of the landscaped yard along the west property line.

ADDITIONAL STANDARDS:

- **All parking lots and driveways shall be designed with wheel stops or discontinuous curbing to provide on-site retention and filtration of stormwater. Where on-site retention and filtration is not practical, the parking lot shall be defined by six (6) inch by six (6) inch continuous concrete curb.**
- **To the extent practical, site plans shall minimize the blocking of views of important elements of the city.**
- **To the extent practical, buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.**
- **To the extent practical, buildings shall be located and arranged to minimize the generation of wind currents at ground level.**
- **Site plans shall include crime prevention design elements as specified in section 530.260 related to:**
 - **Natural surveillance and visibility**

- **Lighting levels**
- **Territorial reinforcement and space delineation**
- **Natural access control**
- **To the extent practical, site plans shall include the rehabilitation and integration of locally designated historic structures or structures that have been determined to be eligible to be locally designated. Where rehabilitation is not feasible, the development shall include the reuse of significant features of historic buildings.**

All parking is being provided in the ground level tuck-under garages at the rear of the structure/interior of the site. All access to the site would be via the public alley on the north side of the site off of Sheridan Avenue North. The water drainage on site would need to be designed so as not to drain onto any adjacent lots. The proposed plan appears to include concrete curbing. Staff will recommend that the applicant explore opportunities for on-site filtration.

The development would not block views of important elements of the city; would not cost unreasonable shadows; and would not contribute significantly to ground-level winds.

The City's CPTED officer had no comments on the plan as it met City of Minneapolis requirements for Police Safety. Staff is concerned with the lack of surveillance at the rear of the site. Staff will recommend that the Planning Commission require that that solid walls enclosing the 2nd level terraces located at the rear of the building above the garages be altered or redesigned to provide some transparency.

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

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

ZONING CODE - The proposed use is conditional in the R4 District and subject to specific development standards.

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

Parking and Loading: Chapter 541 of the zoning code requires one off-street parking space per dwelling unit. The applicant proposes to provide a total of 15 parking spaces for the proposed development which exceeds the requirement. A total of 12 enclosed parking spaces would be provided in tuck-under garages as well as 3 surface parking spaces located adjacent to the interior side yard.

Dumpster screening: Section 535.80. Refuse storage containers shall be enclosed on all four (4) sides by screening compatible with the principal structure not less than two (2) feet higher than the refuse container or shall be otherwise effectively screened from the street, adjacent residential uses located in a residence or office residence district and adjacent permitted or conditional residential uses. A dumpster is being provided on site for the proposed development which meets the above listed screening requirements.

Signs: Any signage is required to meet the requirements of the code. A separate permit is required from the Zoning Office as no signage is being approved as part of the submitted applications.

Lighting: The applicant is proposing to install light fixtures at all entries. All lighting will need to be downcast and shielded to avoid undue glare. All lighting shall comply with Chapters 535 and 541.

Maximum Floor Area: The maximum FAR for multiple-family dwelling units in the R4 District is the gross floor area of the building which is 11,074 square feet divided by the area of the lot which is 13,729 square feet. The outcome is .81 which is less than the maximum of 1.5 that is permitted in the R4 District.

Minimum Lot Area: The project would meet the minimum lot width and area requirements of the R4 District. Multi-family developments in the R4 District require 5,000 square feet of lot area or 1,500 square feet per dwelling unit, whichever is greater and must be situated on a lot at least 40 feet in width. The lot has 13,729 square feet of lot area, 1,716 square feet per dwelling unit, and is situated on a lot greater than 40 feet in width.

Dwelling Units per Acre: Based on the lot area of 13,729 or .32 acres and a total of 8 units provided, approximately 25 dwelling units per acre ($43,560 / 1716 = \text{approx. } 25$) are being provided based on the proposal.

Height: Maximum building height for principal structures in a cluster development located in the R4 District is 4 stories not to exceed 56 feet. The maximum allowable floor height is 14 feet. The structure would comply as it is proposed at 3 stories or 35 feet.

Yard Requirements: The required yards are as follows:

- Front:* Typically, along both frontages the required setback would be 15 feet. However, one of the front yards is subject to a front yard increase per 546.160. Therefore, the required setbacks are as follows:
- *Along the east property line adjacent to Sheridan Avenue North:* 25.3 feet
 - *Along the south property line adjacent to Plymouth Avenue North:* 15 feet

Rear and Interior side yards (5+2x): 9 feet

Building coverage: The maximum building coverage in the R4 District is 70 percent. Buildings would cover approximately 41 percent.

Impervious surface area: The maximum impervious surface coverage in the R4 District is 85 percent. Impervious surfaces would cover approximately 75 percent of the site.

MINNEAPOLIS PLAN

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

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

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

ALTERNATIVE COMPLIANCE

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

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

Alternative compliance is requested by the applicant to meet the following standards:

Twenty percent window requirement

At least 20% of the first floor façade that faces an on-site parking lot shall be windows. There are 3 surface spaces located adjacent to the west property line along the interior side yard. The proposed structure does not meet this

requirement as the rear of the structure is almost entirely composed of solid garage doors. Alternative compliance would be necessary. Staff will recommend based on this unique situation that the proposed structure be granted alternative compliance as it would not be practical to require the first floor garages to meet this requirement. Staff will recommend, however, that the Planning Commission require some level of transparency in the solid wall that encloses the 2nd floor terraces located above the ground level garages.

As previously mentioned, Staff is concerned with the amount of impervious surfaces on site despite the fact that the site does not exceed the maximum permitted under the R4 district standards. Based on the configuration of the proposed structure, there is a large amount of paving located at the rear of the structure. As specified above, all other areas not governed by sections 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees. Should the Planning Commission choose not to grant alternative compliance for the 20% window requirement of the first floor façade that faces an on-site parking lot along the north and west elevations, Staff would recommend the removal of the 3 surface parking spaces and thus the expansion of the landscaped yard along the west property line.

RECOMMENDATIONS:

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

The Department of Community Planning and Economic Development - Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **approve** the rezoning petition to change the zoning classification of the property located at 2500, 2506 and 2510 Plymouth Avenue North from the R1A district to the R4 district.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a conditional use permit to allow for a 8-unit townhome development for property located at 2500, 2506 and 2510 Plymouth Avenue North.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a variance of the front yard along the east property line adjacent to Sheridan Avenue North from 25.3 feet to 10 feet for the structure on the property located at 2500, 2506 and 2510 Plymouth Avenue North.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a variance of the front yard along the south property line adjacent to Plymouth Avenue North from 15 feet to 10 feet for the structure on the property located at 2500, 2506 and 2510 Plymouth Avenue North.

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

The Department of Community Planning and Economic Development– Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the site plan review application for property located at 2500, 2506 and 2510 Plymouth Avenue North subject to the following conditions:

1. Planning Staff review and approval of the final site, elevation and landscaping plans.
2. All site improvements shall be completed by March 9, 2008, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
3. Modification of the north and west elevations to incorporate some level of transparency in the walls that enclose the 2nd floor terraces located above the ground level garages.
4. The proposed residential live/work units shall comply with the home occupation standards of Chapter 535 of the zoning code.

Attachments:

1. Statement of use / description of the project
2. Findings –CUP and variances
3. Correspondence
4. Zoning map
5. Plans – Survey, site, landscape, elevations, floor plans, etc.
6. Photos
7. PDR notes