

Department of Community Planning and Economic Development – Planning Division
Rezoning, Conditional Use Permits, Variance and Site Plan Review
BZZ-1963

Date: October 13, 2004

Applicant: Steve Minn with Lupe Development

Address of Property: 1701 Madison Street Northeast

Project Name: Presidents Row Lofts

Contact Person and Phone: Steve Minn, (952) 888-2001

Planning Staff and Phone: Hilary Watson, (612) 673-2639

Date Application Deemed Complete: September 17, 2004

End of 60-Day Decision Period: November 16, 2004

End of 120-Day Decision Period: Not applicable

Ward: 1 **Neighborhood Organization:** Logan Park Neighborhood Association

Existing Zoning: I1

Proposed Zoning: IL (Industrial Living) Overlay District

Zoning Plate Number: 9

Legal Description: Registered Land Survey No. 1207, Tract A

Proposed Use: 70 dwelling units

Concurrent Review:

Rezoning: petition to add the IL (Industrial Living) Overlay District to the existing I1 District.

Conditional use permit: for 70 dwelling units.

Conditional use permit: to increase the height of the building from the permitted 4 stories/56 feet to 5 stories/75 feet.

Variance: to reduce the width of the drive aisles in the parking garages from the required 22 feet to 17 feet in the main building and to 20 feet in the annex building.

Major site plan review.

Applicable zoning code provisions: Chapter 525, Article VII, Conditional Use Permits; Chapter 525, Article IX, Variances, specifically Section 525.520(14) “to reduce the minimum required width of parking aisles...”; and Chapter 530, Site Plan Review.

Background: An existing industrial building occupies the site. There are two halves to the building; the original 1921 three story building and the 1980's annex building. The applicant is proposing to renovate the 1921 building and add a two-story addition to the top of it. In total there will be 59 dwelling units in this portion of the building. The lowest level of the building will be utilized for parking as it currently is today. There will be a total of 42 parking spaces in this space.

The portion of the annex building that is directly connected to the 1921 building will be demolished. The remaining portion will be utilized for parking. There will be a total of 37 parking spaces in this space. There are an additional six parking spaces provided in the annex however it should be noted that they are tandem parking spaces. On the west and south sides of the annex building eleven dwelling units will be constructed and will conceal the parking from the surrounding properties. Ten out of the eleven dwelling units will be accessible from the parking space.

The two portions of the building will be connected by a shared stairway and elevator tower. In addition, the main entrance to the building is located in the shared stairway and elevator tower.

The Logan Park Neighborhood Association met with the development team for the Presidents Row Lofts development on July 1, 2004. The neighborhood association voted to support the development and the requested land use applications.

REZONING - petition to add the IL (Industrial Living) Overlay District to the existing I1 District

Findings as Required by the Minneapolis Zoning Code:

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

The site is designated as general industrial in the comprehensive plan. The site is located three blocks north of Broadway Street Northeast and three blocks west of Central Avenue Northeast; both of which are designated Community Corridors. According to the principles and polices outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Increase the city's population and tax base by developing and supporting housing choices citywide through preservation of existing housing and new construction.
- Maintain and strengthen the character of the city's various residential areas.
- Increase citizen awareness of preservation and the important role it plays in fostering community revitalization and civic pride.
- Promote increased housing production in designated areas of the City in order to accommodate population growth.

The applicant is proposing to convert an existing industrial building to a 70-unit, for-sale condominium development. Converting this building will strengthen the surrounding residential neighborhood as the project will restore the existing building and will increase the tax base. This development will also

increase home ownership opportunities in the Logan Park neighborhood which has a 62 percent rental rate. Uses in the area include a mixture of dwelling units and industrial uses.

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

The conversion of this industrial building to dwelling units is in the public interest as the site is located on the edge of a residential neighborhood. Converting this building will increase the tax base and will also increase home ownership opportunities in the Logan Park neighborhood which has a 62 percent rental rate.

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 site is bordered by I1 zoning to the west, north and east and by R2B zoning to the south. In addition, there is a large area of industrially zoned land located southeast of the site that is located in the IL Overlay. Adjacent uses include a mixture of dwelling units and industrial uses.

The proposed IL Overlay is compatible with the immediately surrounding area. The IL Overlay is established to encourage the rehabilitation and reuse of existing industrial structures and to provide for limited residential and retail uses in the I1 and I2 Industrial Districts where such uses are compatible with other uses in the area. In this particular situation the IL Overlay would be added to a property that is adjacent to other properties that are located in the IL Overlay and/or are zoned residential.

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 I1 zoning district. The I1 zoning district is a light industrial district. Permitted uses in the I1 district include, but are not limited to, the following:

- Light industrial uses.
- Greenhouse, wholesale.
- Self service storage.
- Art gallery.
- Office supply sales and service.
- Restaurant, sit down, including the serving of alcoholic beverages with general entertainment.
- Clinic, medical or dental.
- Community garden.

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.

Within this area of Minneapolis there has not been a change in zoning or in the type of development. The railroad runs through this part of Minneapolis towards the northwest. Industrial uses can be found near the railroad tracks and surrounding them are residential properties. However, in general small industrial pockets such as this throughout Minneapolis have been converted to residential uses in the last several years.

CONDITIONAL USE PERMIT – for 70 dwelling units

Findings as Required by the Minneapolis Zoning Code:

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

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

The Planning Division does not believe that 70 dwelling units will be detrimental to or endanger the public health, safety, morals, comfort or general welfare. According to the 2000 Census, approximately 62 percent of the dwelling units in the Logan Park neighborhood are rental. The additional for-sale condominiums will increase the owner-occupied base in the neighborhood.

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 believe that 70 dwelling units will be injurious to the use and enjoyment of surrounding property nor will it impede the normal development of the surrounding area. Utilizing the site for a residential development would provide additional opportunities for housing within the neighborhood. A development such as this would increase the property's value, contribute to the building of the city's infrastructure and contribute to the city's tax base.

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

The applicant will be working 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 the development is one parking space per dwelling unit, or 70 parking spaces. The applicant is providing a total of 85 enclosed parking spaces and six surface parking spaces. The six surface parking spaces and their associated drive aisle are located in between the building and Madison Street Northeast. The planning Division is recommending that the six parking spaces and the drive aisle be removed and replaced with landscaping and individual walkways to the different dwellings. This will give a residential feel to the development, specifically the dwelling units that face Madison Street Northeast.

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

The site is designated as general industrial in the comprehensive plan. The site is located three blocks north of Broadway Street Northeast and three blocks west of Central Avenue Northeast; both of which are designated Community Corridors. According to the principles and polices outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Improve the availability of housing options for residents.
- Increase the variety of housing styles and affordability levels available to prospective buyers and renters.
- Use both infill development and new development opportunities to increase housing in the city.

The proposed development will provide the neighborhood, which is primarily single and two family homes, with a different type of housing option and at varying sizes (studios, one and two bedrooms) and prices.

6. And, does in all other respects conform to the applicable regulations of the district in which it is located upon approval of this conditional use permit.

With the approval of the rezoning, the conditional use permits, the variance and the site plan review this development will be in conformance with the applicable regulations of the zoning code.

CONDITIONAL USE PERMIT - to increase the height of the building from the permitted 4 stories/56 feet to 5 stories/75 feet

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, morals, comfort or general welfare.

The Planning Division does not believe that increasing the height of the building from two-and-a-half stories/35 feet to five stories/75 feet would be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

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

The Planning Division does not believe that increasing the height of the building to five stories/75 feet would be injurious to the use and enjoyment of surrounding property nor will it impede the normal development of the surrounding area. The location of the building is on the north edge of the existing single and two family residential neighborhood and is located to the east of an existing four story building.

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

Increasing the height of the building will have no impact on utilities, access roads or drainage.

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

Increasing the height of the building will have no impact on traffic congestion in the public streets.

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

The site is designated as general industrial in the comprehensive plan. The site is located three blocks north of Broadway Street Northeast and three blocks west of Central Avenue Northeast; both of which are designated Community Corridors. According to the principles and polices outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Maintain and strengthen the character of the city's various residential areas.
- Preserve traditional urban form in buildings where it currently exists, and encourage new development to relate to traditional siting and massing, where it is already established.

Although the existing single and two family residential neighborhood to the south of the site is mostly comprised of one and two story homes the industrial building to the west of the site is four stories tall.

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

See conditional use permit finding number six above.

ADDITIONAL STANDARDS TO INCREASE MAXIMUM HEIGHT

In addition to the conditional use standards, the city planning commission shall consider, but not be limited to, the following factors when determining the maximum height:

1. Access to light and air of surrounding properties.

Increasing the height of the building should have minimal impact on the amount of light and air that the surrounding properties receive as the portion of the building that will be five stories/75 feet tall is located on the south side of the site.

2. Shadowing of residential properties or significant public spaces.

Increasing the height of the building will not produce shadows on surrounding residential properties or significant public spaces.

3. The scale and character of surrounding uses.

Although the existing single and two family residential neighborhood to the south of the site is mostly comprised of one and two story homes the industrial building to the west of the site is four stories tall. The architectural style of the buildings in the neighborhood vary.

4. Preservation of views of landmark buildings, significant open spaces or water bodies.

Increasing the height of the proposed building will not block views of landmark buildings, significant open spaces or water bodies.

VARIANCE - to reduce the width of the drive aisles in the parking garages from the required 22 feet to 17 feet in the main building and to 20 feet in the annex building

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

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

Drive aisle width: The applicant is seeking a variance to reduce the width of the drive aisles in the parking garages from the required 22 feet to 17 feet in the main building and to 20 feet in the annex building. The applicant has indicated that the two areas within the development where vehicles will be parked are existing. The configurations of the two areas and the placement of the existing structural columns does not allow for the required 22-foot drive aisles. Please note that the lowest level of the 1921 building is currently being used for parking. Without the variance none of the parking would be allowed which would make the project infeasible.

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.

Drive aisle width: The fact that the parking areas will be located in existing buildings with existing conditions is a unique circumstance of this site.

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.

Drive aisle width: Staff believes that the granting of this variance would be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the area. The parking areas are for the use of the residents of the building and will not be accessible to the general public.

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.

Drive aisle width: Staff believes that the granting of the variance would have little impact on fire safety, nor would the proposed drive aisle width be detrimental to welfare or public safety.

SITE PLAN REVIEW

Findings as Required by the Minneapolis Zoning Code:

- 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. (See Section B Below for Evaluation.)**
- C. The site plan is consistent with applicable development plans or development objectives adopted by the city council. (See Section C Below for Evaluation.)**

Section A: Conformance with Chapter 530 of Zoning Code

BUILDING PLACEMENT AND FACADE

- 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.**

- **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 façade shall provide architectural detail and shall contain windows at the ground level or first floor.**
- **In larger buildings, architectural elements shall be emphasized.**
- **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 where visible from a public street or a residence or office residence district.**
- **Entrances and windows:**
- **Residential uses shall be subject to section 530.110 (b) (1).**
- **Nonresidential uses shall be subject to section 530.110 (b) (2).**
- **Parking Garages: The exterior design shall ensure that sloped floors do not dominate the appearance of the façade and that vehicles are screened from view. At least thirty (30) percent of the first floor façade that faces a public street or sidewalk shall be occupied by commercial uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE

- The 1921 building is set close to the property lines along both 17th Avenue Northeast and Madison Street Northeast. The existing 1980's building is setback approximately 66 feet from the property line along Madison Street Northeast. After the addition is added the building will be setback approximately 40 feet from the property line along Madison Street Northeast.
- The area in between the building and 17th Avenue Northeast contains landscaping. The area in between the building and Madison Street Northeast contains six surface parking spaces, a drive aisle and landscaping. Section 530.100 specifically says that parking shall be located to the rear or interior of the site, within the principal building served or entirely below grade. The planning Division is recommending that the six parking spaces and the drive aisle be removed and replaced with landscaping and individual walkways to the different dwellings. This will not only bring the development into conformance with the requirements of Chapter 530, Site Plan Review but it will give a residential feel to the development.
- The principal entrance to the building is located along the Madison Street Northeast side of the building. This is the entrance that residents in the 1921 building and visitors will utilize. In addition, the eleven dwelling units on the west and south sides of the annex building have their own individual entrances. Six of those entrances face Madison Street Northeast and the remaining five face the north wall of the 1921 building. All of the entrances and exits to the building and the different dwelling units shall be indicated on the final plans.
- The exterior materials of the building include brick, wood or cement siding and metal and glass railings. The Planning Division believes that the mixture of materials on the existing building and the proposed additions to the building will compliment one another.
- The percentage of windows required on the 17th Avenue Northeast and Madison Street Northeast sides of the building is 20 percent. According to the submitted drawings, there will be more than 20 percent windows on both sides of the building.

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 530.140 (b).
- Areas for snow storage shall be provided unless an acceptable snow removal plan is provided.
- Site plans shall minimize the use of impervious surfaces.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE

- The principal entrance to the building is connected to the public sidewalk via a walkway.
- The Public Works Sidewalks Department has indicated that the brick pavers in the 17th Avenue Northeast boulevard and the gravel in the Madison Street Northeast boulevard shall be removed and replaced with grass.
- According to the survey, the northern driveway on Madison Street Northeast is not accurately reflected on the site plan. The final plans shall accurately reflect what is occurring on the site. If the northern driveway on Madison Street Northeast is to be shifted to the north, the Planning Division is recommending that a five-foot green space remain on the north side of the driveway and that it shall be landscaped in order to provide screening between the site and the property to the north.
- A snow removal plan was not submitted as part of the application. The Planning Division is recommending that a snow removal plan be submitted as part of the final plans.

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 shall be landscaped as specified in section 530.150 (a).
- Where a landscaped yard is required, such requirement shall be landscaped as specified in section 530.150 (b).
- 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.
- 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 530.160 (b).
- Parking and loading facilities abutting a residence or office residence district or abutting a permitted or conditional residential use shall comply with section 530.160 (c).
- The corners of parking lots shall be landscaped as specified for a required landscaped yard.

Such spaces may include architectural features such as benches, kiosks, or bicycle parking.

- **Parking lots containing more than two hundred (200) parking spaces: an additional landscaped area not less than one hundred-fifty (150) square feet shall be provided for each twenty-five (25) parking spaces or fraction thereof, and shall be landscaped as specified for a required landscaped yard.**
- **All parking lots and driveways shall be defined by a six (6) inch by six (6) inch continuous concrete curb positioned two (2) feet from the boundary of the parking lot, except where the parking lot perimeter is designed to provide on-site retention and filtration of stormwater. In such case the use of wheel stops or discontinuous curbing is permissible. The two (2) feet between the face of the curb and any parking lot boundary shall not be landscaped with plant material, but instead shall be covered with mulch or rock, or be paved.**
- **All other areas not governed by sections 530.150, 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 530.220.**
- **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 530.60, as provided in section 530.230.**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE

- The applicant has indicated that approximately 44 percent of the site not occupied by the building will be landscaped. The landscaping requirement for this development is 18 trees and 92 shrubs. According to the submitted drawings, the minimum number of trees and shrubs will be provided on the site. Some of the trees and shrubs that are being taken into consideration in this calculation are existing. The Planning Division is recommending that if any of the existing trees or shrubs on the site are damaged during construction that they be replaced.
- The applicant is proposing to construct a three-foot high fence along the west property line. As proposed, the fence will be anchored with solid brick sections of fencing and then will continue with a three-foot high decorative metal fence. In addition, the applicant is proposing to construct a six-foot high solid brick fence along the east property line between the corners of the 1921 building and the 1980's building. For CPTED purposes, the Planning Division is recommending that the six-foot high solid brick fence be a six-foot high decorative metal fence that will allow views into and out of the interior courtyard.

ADDITIONAL STANDARDS

- **Lighting shall comply with the requirements of Chapter 535 and Chapter 541. A lighting diagram may be required.**
- **Parking and loading facilities and all other areas upon which vehicles may be located shall be screened to avoid headlights shining onto residential properties.**
- **Site plans shall minimize the blocking of views of important elements of the city.**
- **Buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.**
- **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.**
- **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.**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE

- A lighting plan showing footcandles was not submitted as part of the application. The Planning Division is recommending that a lighting plan showing footcandles be submitted as part of the final plans.
- See the additional standards to increase maximum height section above.
- See the additional standards to increase maximum height section above.
- This development should not contribute to the wind tunnel effect.
- The Crime Prevention Specialist has reviewed the project in regards to crime prevention design elements. In order to be in compliance with the CPTED requirements, there shall be proper lighting located above all building entrances and exits.
- The existing building is not historic nor is the site.

Section B: Conformance with All Applicable Zoning Code Provisions and Consistency with the Comprehensive Plan

ZONING CODE

See conditional use permit finding number six above.

THE MINNEAPOLIS PLAN

The site is designated as general industrial in the comprehensive plan. The site is located three blocks north of Broadway Street Northeast and three blocks west of Central Avenue Northeast; both of which are designated Community Corridors. According to the principles and policies outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Encourage private developers to include gathering spaces in new developments.
- Encourage the design of all new buildings to fulfill light, privacy and view requirements for the subject building as well as for adjacent buildings.
- Reflect the setbacks, orientation, pattern, materials, height and scale of surrounding dwellings.
- Locate parking lots behind buildings or in the interior of a block to reduce the visual impact of the automobile.

With some modifications to the proposed site plan the Planning Division believes that it would be in conformance with the foregoing policies of the comprehensive plan. Most importantly, the Planning Division believes that it is imperative that the applicant remove the six parking spaces and the drive aisle and replace it with landscaping and individual walkways to the different dwellings. This would give a residential feel to the development, specifically the dwelling units that face Madison Street Northeast.

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

There are no small area plans adopted by the city for this particular location.

ALTERNATIVE COMPLIANCE

The Planning Commission may approve alternatives to any major 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, 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.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE

- Staff is recommending that the City Planning Commission grant alternative compliance to allow the building to be setback more than eight feet from the property line along Madison Street Northeast. The building addition will bring the building wall closer to Madison Street Northeast than it currently is. Requiring that the building be built up to the property line along Bloomington Avenue South would require the applicant to completely change the configuration of the site.

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 the City Council adopt the above findings and **approve** the rezoning petition to add the IL (Industrial Living) Overlay District to the existing I1 District for the property located at 1701 Madison Street Northeast.

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

Department of Community Planning and Economic Development – Planning Division
BZZ-1963

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the conditional use permit application for 70 dwelling units located at 1701 Madison Street Northeast subject to the following conditions:

1. There shall be no more than 70 dwelling units located within the building.
2. The six parking spaces and the drive aisle located between the building and Madison Street Northeast shall be removed and replaced with landscaping and individual walkways leading to the different dwellings.

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 findings above and **approve** the conditional use permit to increase the height of the building from the permitted 4 stories/56 feet to 5 stories/75 feet for the property located at 1701 Madison Street Northeast.

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 findings above and **approve** the variance application to reduce the width of the drive aisles in the parking garages from the required 22 feet to 17 feet in the main building and to 20 feet in the annex building for the property located at 1701 Madison Street Northeast.

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 findings above and **approve** the site plan review application for 70 dwelling units located at 1701 Madison Street Northeast subject to the following conditions:

1. The six parking spaces and the drive aisle located between the building and Madison Street Northeast shall be removed and replaced with landscaping and individual walkways leading to the different dwellings.
2. All of the entrances and exits to the building and the different dwelling units shall be indicated on the final plans.

Department of Community Planning and Economic Development – Planning Division
BZZ-1963

3. The brick pavers in the 17th Avenue Northeast boulevard and the gravel in the Madison Street Northeast boulevard shall be removed and replaced with grass.
4. If the northern driveway on Madison Street Northeast is to be shifted to the north, a five-foot green space shall remain on the north side of the driveway and it shall be landscaped in order to provide screening between the site and the property to the north.
5. A snow removal plan shall be submitted as part of the final plans.
6. If any of the existing trees or shrubs on the site are damaged during construction they shall be replaced.
7. The six-foot high fence along the east property line between the corners of the 1921 building and the 1980's building shall be a six-foot high decorative metal fence that will allow views into and out of the interior courtyard.
8. A lighting plan showing footcandles shall be submitted as part of the final plans.
9. Proper lighting shall be located above all building entrances and exits.
10. Approval of the final site, landscaping, fence and elevation plans by the Community Planning and Economic Development Department – Planning Division.
11. All site improvements shall be completed by October 13, 2005, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
12. If estimated site improvement costs exceed \$2,000, the applicant shall submit a performance bond in the amount of 125% of the estimated site improvement costs before exterior building permits are issued.

Department of Community Planning and Economic Development – Planning Division
BZZ-1963

Attachments:

1. Statement of proposed use
2. Rezoning, conditional use permit and variance findings
3. Statement regarding acknowledgement that Council Member Paul Ostrow has been contacted
4. Statement regarding acknowledgement that the Logan Park Neighborhood Association has been contacted
5. September 16, 2004 letter from the Logan Park Neighborhood Association
6. Zoning Map
7. Overlay Zoning Map
8. Site plan, floor plans and elevations
9. Photographs of the site and surrounding area