

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

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**MEMORANDUM**

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DATE: June 24, 2008

TO: Steve Poor, Planning Supervisor – Zoning Administrator, 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 June 16, 2008

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The following actions were taken by the Planning Commission on June 16, 2008. 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, Huynh, LaShomb, Nordyke, Norkus-Crampton, Schiff and Tucker – 7

Not present: Williams (excused)

Committee Clerk: Lisa Baldwin (612) 673-3710

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**1. Todd Jones (Vac-1543, Ward: 6), ([Shanna Sether](#)).**

**A. Vacation:** Application by Todd Jones, on behalf of Premier Storage, LLC, for a vacation of a portion of an existing dead-end alley located adjacent to the property of 2845 Harriet Ave.

**Action:** The City Planning Commission recommended that the City Council adopt the findings and **approve** the vacation, subject to retention of an easement by Xcel Energy.

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 (LaShomb seconded).

The motion carried 6-0.

**7. Andrew Riverside Senior Housing (BZZ-4045, Ward: 3), 401 8<sup>th</sup> Ave SE ([Becca Farrar](#)).**

**A. Rezoning:** Application by UrbanWorks Architecture, on behalf of CommonBond Communities, for a petition to rezone the property located at 401 8<sup>th</sup> Ave SE from the R2B (Two-family) district to the R5 (Multiple-family) district.

**Action:** The City Planning Commission recommended that the City Council adopt the findings and **approve** the rezoning petition to change the zoning classification of the property located at 401 8th Ave SE from the R2B district to the R5 district.

**B. Conditional Use Permit:** Application by UrbanWorks Architecture, on behalf of CommonBond Communities, for a conditional use permit to allow 39 residential dwelling units for the property located at 401 8<sup>th</sup> Ave SE.

**Action:** The City Planning Commission adopted the findings and **approved** the application for a conditional use permit to allow 39 dwelling units on the property located at 401 8th Ave SE subject to the following conditions:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within one year of approval.
2. A deed restriction or restrictive covenant shall be recorded with Hennepin County, prior to permit issuance, ensuring the long-term affordability, for not less than fifteen (15) years, of twenty (20) percent of the dwelling units as required to comply with the affordable housing density bonus authorized by section 546.130(b) of the zoning code.

**C. Variance:** Application by UrbanWorks Architecture, on behalf of CommonBond Communities, for a variance of the minimum lot area per dwelling unit for the property located at 401 8<sup>th</sup> Ave SE.

**Action:** The City Planning Commission adopted the findings and approved the application for a variance of the minimum lot area per dwelling unit from approximately 689 square feet to 565 square feet or a variance of approximately 18% for the property located at 401 8th Ave SE.

**D. Variance:** Application by UrbanWorks Architecture, on behalf of CommonBond Communities, for a variance of the front yard setback requirement adjacent to the east

property line along 8<sup>th</sup> Avenue SE from 15 feet to 0 feet for the property located at 401 8<sup>th</sup> Ave SE.

**Action:** The City Planning Commission adopted the findings and **approved** the application for a variance of the front yard setback requirement adjacent to the east property line along 8th Ave SE from 15 feet to 0 feet for the property located at 401 8th Ave SE.

**E. Variance:** Application by UrbanWorks Architecture, on behalf of CommonBond Communities, for a variance of the corner side yard setback requirement adjacent to the south property line along 4<sup>th</sup> St SE from 14 feet to 0 feet for the property located at 401 8<sup>th</sup> Ave SE.

**Action:** The City Planning Commission adopted the findings and **approved** the application for a variance of the corner side yard setback requirement adjacent to the south property line along 4th St SE from 14 feet to 0 feet for the property located at 401 8th Ave SE.

**F. Variance:** Application by UrbanWorks Architecture, on behalf of CommonBond Communities, for a variance of the interior side yard setback requirement adjacent to the north property line from 11 feet to 5 feet for the property located at 401 8<sup>th</sup> Ave SE.

**Action:** The City Planning Commission adopted the findings and **approved** the application for a variance of the interior side yard setback requirement adjacent to the north property line from 11 feet to 5 feet for the property located at 401 8th Ave SE.

**G. Variance:** Application by UrbanWorks Architecture, on behalf of CommonBond Communities, for a variance of the rear yard setback requirement adjacent to the west property line from 11 feet to 3 feet for the property located at 401 8<sup>th</sup> Ave SE.

**Action:** The City Planning Commission adopted the findings and **approved** the application for a variance of the rear yard setback requirement adjacent to the west property line from 11 feet to 3 feet for the property located at 401 8th Ave SE.

**H. Variance:** Application by UrbanWorks Architecture, on behalf of CommonBond Communities, for a variance of the off-street parking requirement for the property located at 401 8<sup>th</sup> Ave SE.

**Action:** The City Planning Commission adopted the findings and **approved** the application for a variance of the off-street parking requirement for the residential component of the development to 33 parking spaces and for the religious institution place of assembly component to 13 parking spaces for property located at 401 8th Avenue SE subject to the following conditions:

1. A bike rack with parking for a minimum of four (4) bicycle parking spaces shall be provided.
2. The parking lot located across 8th Avenue SE that provides the required parking for the religious institution place of assembly shall be subject to the design and maintenance provisions as outlined in Chapter 530 of the Zoning Code.

**I. Site Plan Review:** Application by UrbanWorks Architecture, on behalf of CommonBond Communities, for a site plan review for a 4-story, mixed-use building with 39 senior housing rental residential units and approximately 5,400 square feet of ground level space allocated for a religious institution, place of assembly for the property located at 401 8<sup>th</sup> Ave SE.

**Action:** The City Planning Commission approved the site plan review application for a 39-unit, residential development on the property located at 401 8th Ave SE subject to the following conditions:

1. All site improvements shall be completed by July 25, 2009, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
2. Planning Staff review and approval of the final site, elevation, landscaping and lighting plans before building permits may be issued.
3. Incorporation of windows, entries, recesses, projections or other architectural elements along the west ground floor elevation of the proposed building to break up the blank uninterrupted walls that exceeds 25 feet in width per Section 530.120 of the zoning code.
4. Additional landscaping shall be provided adjacent to the north and west property lines where the structure encroaches into the required yard for buffering purposes.
5. Compliance with the minimum landscape quantity requirement for canopy trees on the premises.

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 (LaShomb seconded).

The motion carried 5-0, Huynh recused.