

Minneapolis City Planning Department Report

Rezoning, Conditional Use Permit, Site Plan Review
BZZ – 504

Preliminary Plat
PL – 109

Date: June 3, 2002

Date Application Deemed Complete: May 6, 2002

End of 60 Day Decision Period: July 5, 2002

Applicant: Trinity Housing Corporation

Address of Property: 2805 E. Lake St., 3015 28th Ave. S., 3017 28th Ave. S.

Contact Person and Phone: Peter Kramer, architect, 822-4200

Planning Staff and Phone: Jason Wittenberg, 673-2297

Ward: 9 **Neighborhood Organization:** Longfellow Community Council

Existing Zoning: C1 & R6

Proposed Zoning: C2

Zoning Plate Number: 27

Existing Legal Description:

Lots 12, 13 and 14, Block 2, V.G. Hush's Addition to Minneapolis, Hennepin County, Minnesota and except the north 10 feet of Lot 14 taken for highway purposes

Lot 11, Block 2, V.G. Hush's Addition to Minneapolis, according to the map or plat thereof on file of record in the office of the registrar of deeds in and for said Hennepin County.

Lot Ten, Block 2, V.G. Hush's Addition to Minneapolis, according to the map or plat thereof on file of record in the office of the registrar of deeds in and for said Hennepin County.

Proposed Use: 24 residential unit apartment building

Project Name: Trinity Gateway

Conditional Use Permit: Required for five or more residential units (Zoning code: Table 548-1)

Site Plan Review: Required for five or more residential units (Zoning Code: Table 530-1)

Minneapolis City Planning Department Report
BZZ – 504

Previous Actions: N/A

Development Plan: See attached

Concurrent Review: Rezoning, conditional use permit, site plan review and preliminary plat as noted above.

Background: Trinity Housing Corporation intends to construct a three-story, 24-unit residential building on the properties currently addressed as 2805 E. Lake St., 3015 28th Ave. S. and 3017 28th Ave. S., which is located within one-half mile of the Lake Street LRT station (under construction). Site plan review and a conditional use permit are required for any development with five or more dwelling units. The applicant has filed a plat to create two new parcels (oriented in a north-south manner) out of the existing three parcels. The proposed east parcel would contain 16,788 sq. ft. while the proposed west parcel would contain 30,711 sq. ft.

The existing parcel adjacent to Lake Street is currently used for parking accessory to Holy Trinity Lutheran Church, located nearby at 2730 E. 31st St. The proposed eastern parcel would be used for parking accessory to the church. The multifamily residential project would be constructed on the proposed west parcel. Two existing single-family dwellings would be removed to make way for the project.

The applicant seeks to rezone the land from C1 (the existing parking lot) and R6 (the two single-family dwellings) to C2. The C2 District would allow the proposed residential density on the west lot (1,189 sq. ft. of lot area per dwelling unit). The C1 District requires at least 1,500 sq. ft. of lot area per dwelling unit while the C2 requires 900 square feet of lot area per dwelling unit. Note that residential zoning (e.g., R6) would not work for the project because the existing church is zoned C1. As previously noted, the east lot would be used for parking accessory to the church. Uses located in commercial districts may not have their accessory parking located in residential districts.

The applicant proposes to reserve eight of the proposed units for persons with “serious and persistent mental illness.” These units would be Section 8 housing. The applicant also proposed that an additional eight units would be Section 8 housing, while the remaining eight units, or one-third of the building, would be rented at market rate. The applicant has been notified that on-site support programming may not be provided unless a conditional use permit is applied for and granted to allow supportive housing. The applicant has indicated that any supportive services will take place off-site.

The Minneapolis Community Development Agency (MCDA), Minnesota Housing Finance Agency (MHFA), and Hennepin County would each have involvement with the financing of this project.

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

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

The portion of East Lake Street in question is designated as a Commercial Corridor in the Minneapolis Plan. Commercial Corridors are characterized by the following features:

- Streets have high traffic volumes, with a minimum of 10,000 Average Annual Daily Traffic (AADT) and ranging up to a 20,000 AADT count.
- Streets have a mix of uses, with commercial uses dominating. The commercial element typically includes some automobile-service uses, and/or drive through facilities. Light industrial uses may also be found along these streets. Low density residential is uncommon.
- A mix of uses commonly occurs within some of the structures.
- Buildings that front onto commercial corridors generally retain a traditional urban form in their siting, massing and relationship to the street.

Staff has identified no direct conflict between the proposed rezoning and the applicable policies of the Minneapolis Plan. Note that generally would not support commercial zoning to extend so far into a neighborhood from most other points on Lake Street. The site in question is unique in that it is located adjacent to commercial zoning that spans the entire area between Lake Street and 31st Street.

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

Although the applicant would benefit from the rezoning, the rezoning would facilitate a more intense redevelopment of the proposed west parcel than would be allowed under the C1 District and would create consistency—a single zoning district—in the proposed newly platted parcels. The site is within easy walking distance of the Lake Street LRT station, which is under construction and is expected to open in 2003. Public benefits accrue from accommodating a significant percentage of the metro population growth within close proximity of civic uses (e.g., post offices, libraries) retail services and public transportation.

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.

Surrounding uses include a public library (to the east), and eight story apartment building (to the south), a mixed use building (to the east), and a bank (to the north). The proposed C2 zoning would match the existing commercial zoning to the north and northeast of the site. C1 zoning would be adjacent to the west while R6 zoning would be contiguous to the south. The proposed C2 zoning is consistent with the existing uses and zoning classifications. Note, however, that several higher impact uses would be allowed in the C2 District that are not allowed in the C1 or R6 Districts, such as automobile convenience facilities and currency exchanges.

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.

Reasonable uses for the property do exist under the existing C1 and R6 zoning classifications. Note, however, that if the proposed plat is to be approved, the individual lots may not have more than one zoning classification; so some rezoning would be required in order for the plat to be approved, unless a variance is granted by the commission.

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.

The immediate vicinity has seen a good deal of commercial renovation in recent years, including the properties at 2708 and 2709 East Lake Street. Recent development has helped to solidify the urban character of the immediate vicinity.

Findings Required by the Minneapolis Zoning Code for the Proposed Conditional Use Permit:

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

The conditional use permit would allow for development of 24 housing units on the site within the maximum number allowed under the proposed C2 zoning. The building would be three stories in height, which is consistent with the scale of nearby development.

All required parking would be accommodated on the site. Assuming compliance with provisions of the building code, the development would not prove detrimental to or endanger the public health, safety, 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 dwelling units would be constructed on what is currently off-street parking. Good quality building design, effective management, and the elimination of excess surface parking would be expected to strengthen local property values.

3. Will have adequate utilities, access roads, drainage and/or other necessary facilities.

The area is fully developed and served by existing infrastructure. The property in question includes half of the vacated 28th Avenue. There is a public alley adjacent to the east side of the

site. The applicant proposes one curb cut along Lake Street (which will require easements to ensure perpetual access to the proposed west parcel) and one access point to the public alley. Stormwater would drain from the parking lot primarily to two on-site catch basins. The Public Works Department will review the final civil drawings to ensure that drainage patterns will not negatively impact adjacent public or private properties. As proposed, the parking area for the apartment building would not have direct access to a public street or alley. The applicant must submit evidence of an easement across the proposed east parcel guaranteeing perpetual access. Such easement should be written, in Planning staff's opinion, in a manner that would not prohibit a future development on the east lot that would span the width of the Lake Street frontage.

4. Will take measures to minimize traffic congestion in the public streets.

The applicant proposes 24 off-street parking spaces accessory to the 24 housing units on the proposed west parcel. Fifty parking spaces are proposed for the east parcel, which would continue to be used for accessory parking for the nearby Holy Trinity Lutheran Church. Staff recommends that the applicant provide bicycle storage for every dwelling unit and include an exterior bicycle rack.

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

The first of the City's eight major goals outlined in the first chapter of the Minneapolis Plan is to, "Increase the city's population and tax base by developing and supporting housing choices city-wide through preservation of existing housing and new construction."

The site is along a portion of Lake Street that is identified as a Commercial Corridor in the Minneapolis Plan.

Chapter 9 of the comprehensive plan states that, "Designing and developing safe and attractive housing types with higher built density...is critical in order to overcome the image that has plagued the reputation of higher density housing types. If important pedestrian-oriented places in the city such as Activity Centers and Neighborhood Commercial Nodes are to be successful, they will rely on adequate trade areas generated by new households occupying moderate density housing within convenient distances."

Planning staff has identified the following comprehensive plan policies as being relevant to the proposal:

Relevant policy: **4.1** Minneapolis will encourage reinvestment along major urban corridors as a way of promoting growth in all neighborhoods.

Relevant Implementation Steps:

- Develop standards based on a recognition of the qualities that make urban corridors desirable, viable, and distinctly urban, including; diversity of activity, safety for pedestrians, access to desirable goods and amenities, attractive streetscape elements, density and variety of uses to

Minneapolis City Planning Department Report
BZZ – 504

encourage walking, and architectural elements which add interest at the scale of the pedestrian.

- Designate certain streets as commercial corridors with the adoption of this Plan.

Staff comment: Site plan review, Chapter 530 of the zoning code, is the City’s primary tool for implementing the qualities expressed in the first implementation step above. This use is subject to the standards of Chapter 530. Lake Street is designated as Commercial Corridor.

Relevant policy: 4.3 Minneapolis will support development in Commercial Corridors where it enhances the street’s character, improves its ability to accommodate automobile traffic and foster pedestrian movement, and expands the range of goods and services offered.

Relevant Implementation Steps:

- Support a mix of uses on Commercial Corridors—such as retail sales, office, institutional, higher density residential..., and clean low-impact light industrial—where compatible with the existing and desired character of the street.
- Develop parking facilities and management strategies that balance the following goals: improved customer access, protection of sidewalk traffic, reduced visual impacts and shared use of parking facilities.
- Ensure that parking structures and surface lots conform with identified design principles.
- Require that street design for Commercial Corridor streets provide automobile access and parking in keeping with traditional urban form.

Staff comment: The use would be moderate to high density residential development with parking located primarily behind the building. The parking area must be appropriately screened from Lake Street.

Relevant policy: 4.9 Minneapolis will implement its adopted Housing Principles and the Housing Impact Measures through community-based strategies directing future housing development.

Relevant Implementation Steps:

- *The variety of housing types throughout the city, its communities and the metropolitan area shall be increased, giving prospective buyers and renters greater choice in where they live.*
 - Identify and support private sector development for changing housing demographics in markets such as seniors, empty nesters and the physically challenged.
 - Develop/provide incentives for placing new housing on transportation corridors.
 - Up to 20 percent of the units in new multifamily housing developments should be affordable.
- *The management, quality and balance of subsidized housing throughout the City and Metro area shall be improved.*
 - Disperse subsidized housing metro-wide. No community should receive greater concentration than the metro average.

Minneapolis City Planning Department Report
BZZ – 504

- Design new scattered site or multi-housing to match the characteristics and housing types of the community in which it is located.
- *Housing markets that are already strong shall be preserved and strengthened.*
- *The quality of Minneapolis' housing stock shall be improved.*
 - Neighborhood livability, including safety, traffic calming, streetscape, green space, retail development and community schools are recognized as vital to housing success.

Staff comment: The proposal would add housing variety to the neighborhood and city. The project is located on a significant transportation corridor. The Planning Department believes that the project would improve the housing stock and is consistent with the Implementation Steps above. Staff is concerned about the potential overconcentration of subsidized housing within one building. Dedicating two-thirds of the units to Section 8 housing may impair the success of the market rate units. However, recent direction from the Planning Director indicates that staff is not to interpret the comprehensive plan in a manner that would limit the amount of affordable/subsidized housing in a project to no more than 20 percent of the dwelling units. The success of the project will depend largely on the quality and dedication of the building's management.

Relevant policy: **4.11** Minneapolis will improve the range of housing options for those with few or constrained choices.

Relevant Implementation Steps:

- Increase the variety of housing types (affordability, style, location) throughout the city, its communities and the metro area, given prospective buyers and renters greater choice in where they live.
- Encourage new housing production as a way to increase resident choices throughout the city. City support for new housing development will be forwarded based on a) the project's location, b) the level of affordability of up to 20% of its units, based on the project's location in an overconcentrated or non-concentrated community, and c) the type of housing proposed as it relates to the existing variety of housing types in the neighborhood.
- Promote mixed income housing development as a method of providing more housing choices to residents.
- Promote mixed income housing as part of mixed use development so that the likelihood of affordable housing is increased.
- Encourage infill housing.

Staff comment: The proposed development is consistent with the above steps.

Relevant policy: **4.12** Minneapolis will both assume its appropriate responsibility for improving housing options among those with few or constrained choices, and collaborate with partners at the regional, state, federal and local level to assure that appropriate solutions are pursued throughout the region.

Minneapolis City Planning Department Report
BZZ – 504

Relevant Implementation Steps:

(Implementation Steps are similar to those under 4.11 above.)

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.
- Expand the understanding of the role that urban density plays in improving business markets, increasing the feasibility of urban transit systems and encouraging the development of pedestrian-oriented services and open space.

Staff comment: The proposed density would be moderate by Minneapolis standards. Staff is working with the applicant to address concerns related to the design of the building, particularly the front façade.

Relevant policy: 9.6 Minneapolis will work with private and other public sector partners to invest in new development that is attractive, functional and adds value to the physical environment.

Relevant Implementation Steps:

- Promote the use of progressive design guidelines and street-oriented building alignments to maximize compatibility with surrounding neighborhoods.
- Require site designs which maximize the potential for public transit and alternative transportation use in commercial, research and development and light industrial developments.

Staff comment: Staff is recommending, among the design changes, that the applicant incorporate additional design requirements from Chapter 530 of the zoning code and design standards from the LRT station area master plan.

Relevant policy: 9.11 Minneapolis will support urban design standards that emphasize traditional urban form in commercial areas.

Relevant Implementation Steps:

- Enhance unique characteristics of the city's commercial districts by encouraging appropriate building forms and designs, historic preservation objectives, site plans that enhance the pedestrian environment, and by maintaining high quality public spaces and infrastructure.
- Enhance pedestrian- and transit-oriented commercial districts with street furniture, tree planting and improved transit amenities.

Minneapolis City Planning Department Report
BZZ – 504

- Orient new buildings to the street to foster safe and successful commercial nodes and corridors.

Staff comment: Staff is concerned that the current building design “turns its back” on Lake Street through the placement of hallways and stairwells.

Relevant policy: **9.12** Minneapolis will promote design solutions for automobile parking facilities that reflect principles of traditional urban form.

Relevant Implementation Steps:

- Encourage the landscaping of parking lots
- Encourage parking strategies that reduce the need for parking in order to avoid spillover parking into neighboring residential areas, including residential parking permits and the joint use of available parking in mixed use areas.
- Offer incentives so that new parking structures built in high activity areas (e.g., Growth Centers and Activity Centers) are designed to include a mix of uses through the presence of active street-level uses such as general retail sales and services.
- Locate parking lots behind buildings or in the interior of the block to reduce the visual impact of the automobile in mixed use areas.

Staff comment: The applicant proposes the minimum number of off-street parking spaces on the apartment building site. Additional screening of the parking lot must be incorporated.

Relevant Policy: Minneapolis will build on recent initiatives to use Crime Prevention Through Environmental Design (CPTED) principles when designing all projects that impact the public realm, including open spaces and parks, on publicly owned and private land.

Relevant Implementation Steps:

- Integrate “eyes” on the street” design principles into site plan review to foster safer and more successful commercial areas in the city.
- Orient new housing to the street to foster safe neighborhoods.
- Encourage private developers to incorporate CPTED-oriented open spaces in new developments to facilitate the creation of spaces that maximize positive behavior from users.

Staff comment: The applicant has agreed to reduce the potential number of hiding places that are currently built into the proposed design. The current proposed design does not offer an eyes on the street orientation.

- 6. And, does in all other respects conform to the applicable regulations of the district in which it is located, with the approval of this c.u.p., site plan review and the requested variance.**

Minneapolis City Planning Department Report
BZZ – 504

Planning staff is unaware of any conflict between the proposed use and the regulations of the C2 District. For a more thorough analysis of the project's compliance with the requirements of the zoning code, please see the site plan review analysis below.

Required Findings for Major 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. (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 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.
- 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.

Conformance with above requirements:

Minneapolis City Planning Department Report
BZZ – 504

Planning staff is concerned that the current design does not reinforce the street wall along Lake Street and does not maximize natural surveillance or visibility due to the general lack of windows and abundance of potential hiding places. Staff is very concerned about the placement of “inactive” areas—stairwells, an elevator shaft, machine and storage rooms—along the Lake Street side of the building. The proposed office spaces and community rooms would be more appropriate along the street facing façade. Pedestrian access is appropriately facilitated to the front entrance of the building.

Under the applicant’s proposal, nearly all of the proposed first floor façade would be located *more* than eight feet from the front lot line. The building should be repositioned so that the first floor façade is not more than eight feet from the front lot line as required by Site Plan Review.

The applicant proposes landscaping between the building and the front lot line.

One principal entrance to the building would face Lake Street as required.

Accessory parking would be located at the interior of the site, primarily underneath the building at grade level. The applicant must further demonstrate how the parking will be screened along Lake Street.

Exterior materials would be similar on all sides. Plain face concrete block is proposed for the area adjacent to the tuck-under parking on the east elevation. Staff recommends that the applicant be required to comply with the provision prohibiting plain face concrete block on facades of uses subject to site plan review. The applicant has been informed that rock face concrete block would be an appropriate alternative.

The principal entrance is not clearly defined. One can look at the north elevation and not have a good sense of where the principal entrance is located without referring to the floor plan.

Appropriately, given the surrounding uses, the applicant proposes a flat roof. According to staff calculation, approximately 13 percent of the first floor façade facing the public street would be windows or doors. The windows would not be evenly distributed as proposed. Some windows, given their placement, would allow only partial or obstructed views toward the public street (e.g., see the window from the proposed laundry room). Staff does not recommend that the planning commission allow less than the required 20 percent windows facing Lake Street. Also, 20 percent of the first floor façade facing the west must be windows as the façade would face a public walkway on the library site. Staff, however, does recommend alternative compliance from the provision requiring 20 percent windows on the first floor façade facing the parking lot. However staff is concerned about the hidden nature of the tuck-under parking.

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.**

Minneapolis City Planning Department Report
BZZ – 504

- 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.

Conformance with above requirements:

Walkways six feet in width would connect Lake Street to the front entrance under the current proposal. The applicant must indicate how this area will be lighted. The parking lot on the proposed east parcel should be connected to the public sidewalk with a walkway. A walkway would also connect to the existing walkway in the vacated 28th Avenue, which connects to the church site.

A transit shelter would not be located in or directly in front of the building.

Vehicular access would take place by means of a new curb cut along Lake Street. The applicant also proposes access to the public alley. Both access points are subject to approval of Public Works. Conflicts between vehicles and pedestrians would be minimized to the extent practical.

Staff does not expect that service vehicles would access the site regularly. Refuse would be stored indoors at the south end of the building. A walkway, currently not shown, must be incorporated in order to wheel refuse and recycling containers from the building to a designated spot in the parking area.

Excess snow would be stored in proposed green spaces surround the parking area. However, the applicant must ensure that such snow storage does not destroy the landscaping.

Approximately 74 percent of the combined lot area would be impervious. The applicant has included landscaped islands and landscaped yards to minimize impervious surfaces.

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.

Minneapolis City Planning Department Report
BZZ – 504

- **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.**

Conformance with above requirements:

An administrative decision was made to examine the landscaping requirements using the combined lots rather than looking at each lot individually. According to staff calculation, the site (47,499 sq. ft.) minus the footprint of the buildings, including tuck-under parking areas and accessory structures (11,744 sq. ft.) consists of 35,755 sq. ft. At least 20 percent of the net site area (7,151 sq. ft.) must be landscaped. According to the applicant's submittal, 12,250 sq. ft. of landscaping (approximately 34 percent of the site) would be incorporated on the site. The City's landscape consultant has reviewed the landscape plan and has suggested changes that would ensure compliance with the requirements of the zoning ordinance.

Thirty-five canopy trees are required on the site (i.e., not less than one per 1,000 sq. ft. of the net site area); 43 are proposed on the site, including 37 proposed and six existing trees to be preserved. One hundred seventy eight shrubs are required (i.e., not less than one per 200 sq. ft.) while the applicant's plan proposes 84 shrubs. The number of shrubs must be increased along the north and south sides of the parking lot as well as along the west side, near the proposed garden.

"Landscaped yards" are required between the parking areas and all residential areas and all public sidewalks. In this case, that translates to all sides except that part of the east side that is across the alley from a commercial property.

Screening is required in the same locations as the required landscaped yards noted above. Staff recommends that alternative compliance be granted in locations that would require six foot high screening to allow all screening to be three feet in height.

The parking areas must be landscaped and screened on all sides as noted above.

The parking lot will be surrounded by six inch concrete curbing as required. The applicant is encouraged, however, to work with staff to explore the potential for on-site retention of stormwater. It appears to staff that the best opportunity for this may be to direct some of the drainage into the landscaped area along the public alley.

Turf will cover all areas that are not paved or landscaped.

All landscaping must be installed and maintained to the standards required in Chapter 530 of the zoning code.

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.**

Conformance with above requirements:

The site would feature building-mounted area lights on the east side and bollard lights along the walkway on the west side of the site. Lighting must comply with the requirements of Chapter 535 and 541 and must be indicated on the applicant's final plan. The applicant must pay particular attention to not shed excessive light on the adjacent residential properties to the south and east.

The applicant's landscaping plan must be revised to show a solid hedge of other screening consistent with Chapter 530 in order to avoid headlight glare toward residential properties to the south and east.

Significant views would not be blocked by the development.

Significant public spaces would not be excessively shadowed by the development.

The building should have a minimal impact of wind currents at ground level.

Staff is concerned that the building design includes an excessive number of "nooks" that could act as hiding places. Further, the applicant should address site access control through decorative fencing. Staff is also concerned about the lack of visibility of the area where vehicles will be parked beneath the building as no windows are proposed on the first floor facing the area.

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

Minneapolis City Planning Department Report
BZZ – 504

ZONING CODE: The area in question is zoned C1 and R6. The applicant proposes C2 zoning for the entire area. Multiple-family dwellings of five or more units are a conditional use. Offices and a variety of retail sales and services are allowed in the C2 District.

Parking and Loading: The applicant is proposing 24 off-street parking spaces—one per dwelling unit—on the site of the proposed multifamily building. Fifty spaces are proposed accessory to the nearby church.

Signs: The applicant has indicated that the only signage that will be incorporated will be a small sign identifying “Trinity Apartments above the entrance along Lake Street. Other proposed signage on the site will be eliminated, including unlawful off-premise signs.

Maximum Height: The three-story building would comply with the maximum permitted height in the C2 District of four stories, indicated in section 548.290 of the zoning code.

Maximum Floor Area: The base maximum permitted floor area ratio (F.A.R.) in the C2 District is 1.7. The applicant proposes an FAR (on just the west lot) of 0.84.

Density (lot area per dwelling unit and dwelling units per acre): Without bonuses, 34 dwelling units would be allowed on the site (based on one dwelling unit allowed for every 900 sq. ft. of lot area). The applicant proposes approximately 34 units per acre when considering only the west lot, 22 units per acre when considering both parcels combined.

Yard Requirements: There typically are no required yards in commercial districts. However, residential uses with windows facing an interior side yard or rear yard must provide a setback of five feet plus an additional two feet for every story above the first. The proposal meets this requirement.

Specific Development Standards: None

Hours of Operation: There are no maximum hours of operation for residential uses.

Dumpster screening: Refuse storage must be screened as required by section 535.80:

535.80. Screening of refuse storage containers. 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. Single and two-family dwellings and multiple-family dwellings of three (3) and four (4) units shall not be governed by this provision.

Enclosed building requirement: Section 548.180 of the zoning code states that all production, processing, storage, sales, display or other business activity shall be conducted within a completely enclosed building except as otherwise provided in the zoning ordinance.

MINNEAPOLIS PLAN: For analysis of the proposal’s consistency with the comprehensive plan, see the conditional use permit findings above.

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

The site falls within the territory covered by the Hiawatha /Lake Station Area Master Plan, which was adopted by the City Council on May 18th, 2001.

Although the plan does not provide a specific recommendation for use of the site in question, it does state that the City should “encourage a mix of neighborhood-serving retail with housing above through a progressive infill redevelopment program” in the East Lake Commercial Corridor (p. 25). Staff has raised the possibility of incorporating a ground-floor retail use into the building. The applicant has indicated that doing so would not make economic sense for this particular project.

Outside the core of the TOD but within the TOD itself, the plan recommends a minimum residential density of 20 units per acre with buildings maintaining a front setback of between five and 20 feet (p. 46). The applicant proposes approximately 34 units per acre when considering only the west lot, 22 units per acre when considering both parcels combined. Staff is recommending that the applicant comply with the maximum 8 ft. front yard setback required by Chapter 530 of the zoning code.

Among the various architectural guidelines detailed in the plan, it states that buildings “shall be sited close to streets, with doors and windows facing the street. Parking lots along street frontages shall be minimized” (p. 59). Buildings should have a great deal of architectural detail and should not have facades with long stretches that are uninterrupted by windows or doors. The Planning Department’s design staff has provided comments related to the project’s relationship to the architectural standards. The comments were submitted to the applicant.

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.**

Planning staff is recommending alternative compliance exceptions for the following aspects of the proposal:

- Window requirement facing the parking lot. Staff believes that it may be impractical to locate windows in the east side of the first floor of the building.
- The height of required screening. To facilitate appropriate visibility from a crime prevention standpoint, staff recommends three foot high screening rather than the normally required six foot high screening.

Required Findings for the Preliminary Plat:

1. **Subdivision is in conformance with the land subdivision regulations including the requirements of section 598.100 relating to protection of natural resources, applicable regulations of the Zoning Code, and policies of the Comprehensive Plan.**

The proposed plat conforms with the regulations of Chapter 598 with the exception of the creation of lots containing more than five sides for residential development. The two proposed lots would have six sides. Staff recommends that the planning commission vary the requirement limiting lots to no more than five sides by finding that there is a unique characteristic in that allowing the particular lot shapes—by allowing more street frontage on the west lot—would allow the residential development to create more of a presence along Lake Street as required by the zoning code and comprehensive plan. Staff does not foresee that the proposed variance would be detrimental or injurious to other property in the vicinity.

There is no minimum lot width for lots in commercial districts except for those with residential uses. The proposed lot with the residential building would meet the minimum 50 foot lot width required for a lot with no alley access.

The site is not within 50 feet of a protected water body. There are no wetlands or steep slopes on the site. The applicant proposes to remove 14 trees and preserve six existing trees. The removal of trees would be mitigated by the planting of new trees in conformance with the requirements of Site Plan Review.

Note that the applicant proposes to name the plat TRINITY GATEWAY FIRST ADDITION. The Hennepin County Plat Manual states, “*Avoid the use of 1ST*, as JOHNSON 1ST ADDITION.” It is not clear to staff whether this refers to including “FIRST” in the name or if it is only the format “1ST” that is to be avoided. The applicant is encouraged do consult with Hennepin County regarding the plat name prior to filing a final plat.

- 2. Subdivision will not be injurious to the use and enjoyment of other property in the immediate vicinity, nor be detrimental to present and potential surrounding land uses, nor add substantially to congestion in the public streets.**

The subdivision should not be injurious to the use and enjoyment of other properties in the vicinity, nor will it pose problems related to congestion of streets.

- 3. All land intended for building sites can be used safely without endangering the residents or uses of the subdivision and the surrounding area by peril from floods, erosion, high water table, severe soil conditions, improper drainage, steep slopes, utility easements, rock formations, or other hazard.**

The land could be used as proposed without endangering the residents or uses in the vicinity. The applicant proposes on-site catch basins. The Public Works Department will review the project to ensure proper drainage.

- 4. The lot arrangement is such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits and in providing driveway access to buildings on such lots from an approved street. Each lot created through subdivision is suitable in its natural state for the proposed use with minimal alteration.**

Staff is somewhat concerned that, given the shape of the proposed east lot, the site could be challenging to develop with street presence along Lake Street unless Public Works would allow alley access for whatever use would be developed there. The lot would be only 45 feet wide along Lake Street. For the foreseeable future, the site will be used for off-street parking accessory to the church, to be accessed primarily from a curb cut along Lake Street.

- 5. The subdivision makes adequate provision for storm or surface water runoff, and temporary and permanent erosion control. The storm water drainage system shall be separate and independent of any sanitary sewer system. All plans shall be designed in accordance with rules, regulations and standards of the city engineer. Facilities intended to be dedicated to the City shall be located in perpetual, unobstructed easements of a width determined to be adequate and necessary by the city engineer. To the extent practicable, the amount of stormwater runoff from the site after development does not exceed the amount occurring prior to development.**

The applicant proposes on-site catch basins. Since the site is greater than one acre, the applicant must submit a stormwater management plan consistent with Chapter 54 of the code of ordinances. The site would be approximately 74 percent impervious.

Recommendation of the City Planning Department for the Rezoning Application:

Minneapolis City Planning Department Report
BZZ – 504

The City Planning Department recommends that the City Planning Commission adopt the findings above and **approve** the rezoning application to rezone 2805 E. Lake St. from C1 to C2 and 3015 28th Ave. S. and 3017 28th Ave. S. from R6 to C2.

Recommendation of the City Planning Department for the Conditional Use Permit Application:

The City Planning Department recommends that the City Planning Commission adopt the above findings and **approve** the conditional use permit application for a three-story, 24-unit residential building on the properties currently addressed as 2805 E. Lake St., 3015 28th Ave. S. and 3017 28th Ave. S. subject to the following condition:

- 1) There shall be no on-site services that would constitute supportive housing unless the applicant applies for and is granted a conditional use permit to allow supportive housing.
- 2) Bicycle storage shall be provided at a rate of one space for each dwelling unit.
- 3) An easement or easements related to access to parking on the proposed west lot shall be recorded to ensure perpetual access to the site. Proof of the recording of such easements shall be submitted to the City no later than June 3, 2003. Such easement(s) shall not have the effect of prohibiting future development of the east parcel with a building constructed to the front lot line.

Recommendation of the City Planning Department for the Site Plan Review Application:

The City Planning Department recommends that the City Planning Commission adopt the above findings and **approve** the site plan review application for a three-story, 24-unit residential building on the properties currently addressed as 2805 E. Lake St., 3015 28th Ave. S. and 3017 28th Ave. S. subject to the following conditions:

- 1) The first floor façade facing Lake Street shall be located not more than eight (8) feet from the front lot line.
- 2) The principal entrance facing Lake Street shall be more clearly defined and emphasized through the use of architectural features such as porches and roofs, recessions into the façade, or other details that express the importance of the entrance as required by section 530.110(b)(1) of the zoning code.
- 3) Plain face concrete block shall not be used as a primary exterior material on any façade.
- 4) At least twenty (20) percent of the first floor façade facing Lake Street shall be windows or doors. Windows shall be vertical in proportion and distributed in a more or less even manner.
- 5) At least twenty (20) percent of the first floor façade facing the public walkway to the west of the site shall be windows or doors. Windows shall be vertical in proportion and distributed in a more or less even manner.
- 6) The parking lot on the proposed east parcel shall be connected to the public sidewalk with a walkway not less than four (4) feet in width.
- 7) The applicant shall submit a stormwater management plan to be reviewed and approved by the Public Works Department.
- 8) The Planning Department shall review and approve the final elevations, site plan and landscaping plan. Final elevations shall incorporate elements of the architectural standards (e.g., emphasis of the front entrance, cornice treatments) of the adopted *Hiawatha/Lake Station Area Master Plan*.

Minneapolis City Planning Department Report
BZZ – 504

- 9) If improvements required by Site Plan Review exceed two thousand (2000) dollars, the applicant shall submit a performance bond in the amount of 125 percent of the estimated site improvement costs prior to obtaining a building permit.
- 10) Site improvements required by Chapter 530 or by the City Planning Commission shall be completed by June 3, 2003, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

Recommendation of the City Planning Department for the Preliminary Plat Application:

The City Planning Department recommends that the City Planning Commission adopt the above findings and **approve** the application for a preliminary plat creating two new lots at 2805 E. Lake St., 3015 28th Ave. S. and 3017 28th Ave. S. and further recommends a variance allowing lots within the plat to have more than five sides.