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CPC
12/13/04

Department of Community Planning and Economic Development—Planning Division
Rezoning from R3 to C2, Conditional Use Permits (use and to increase height), Yard Variance, Site Plan Review, Preliminary Plat (PL-165)
BZZ-2076

Hearing Date: 12/13/04

Applicant: Union Land III; Frank Dunbar, 5000 Glenwood Ave. Golden Valley, MN 55422-5146, voice: 763-377-7090, fax: 377-7089, email: frank@dundev.com

Address of Property: 1101 Main St. NE

Project Name: Crescent Trace

Contact Person and Phone: Same as applicant

Staff Contact Person and Phone: J. Michael Orange, Principal Planner. Phone: 612-673-2347; facsimile: 673-2728; TDD: 673-2157; e-mail: michael.orange@ci.minneapolis.mn.us

Date Application Deemed Complete: 11/4/04

End of 60-Day Decision Period: 1/3/05

End of 120-Day Decision Period: N/A

Ward: 3 **Neighborhood Organization:** Sheridan Neighborhood Organization

Existing Zoning:
- 1108 & 1112 Main St.: R3, Multiple-family District
- 1109 & 1113 2nd St., 101 & 117 Broadway: C2, Neighborhood Corridor Commercial District

Zoning Plate Number: 9

Proposed Use: Application by Union Land III to construct a mixed-use building with 56 condominium units and 3 town homes, two commercial uses (3,480 sq. ft.), and a restaurant (3,300 sq. ft.). Two existing houses will be demolished for the project.

Prior approvals: None

Concurrent Review and Applicable zoning code provisions:
- Rezoning from R3 to C2: Chapter 525
- Conditional Use Permit for the multi-family residential use: Chapter 548
- Conditional Use Permit to increase height: Section 548.120.

If you need more information or have special needs, please call the Minneapolis Planning Department at 612-673-2597.

- Yard Variance: Section 525.520 (1)
- Site Plan Review: Chapter 530.
- Preliminary Plat: Chapter 598

Background: This proposal is a mixed-use development that includes 59 owner occupied units, three of which are town homes, and three commercial condominiums. Each town home will have a single attached garage and the remaining units will have one parking stall below ground. There will also be 37 surface parking stalls: 4 for commercial space #1, 4 for commercial space #2, and 29 stalls for the restaurant. The applicant also proposes to increase the building height to 62 feet.

According to the applicant, "the character, scale, rhythm, and materials of the project are in keeping with the character of the Sheridan neighborhood, but at the same time, this development takes a fresh step in the direction of neighborhood revitalization to the betterment of the northeast Minneapolis area. The façade will feature an attractive combination of detailed brick, rock-face block, painted cement board siding and metal roof and railing accents. . . . Crescent Trace contains 2 centrally-located elevators, providing easy access to the garage levels from each condominium. The main entry for the condominiums is askew, clearly addressing the Main Street / Broadway intersection, and leading into an elegant two-story lobby. Services for residents include a resident community room, a business center, storage lockers, and a gracious fitness center." (Refer to Attachment 4)

The Sheridan Neighborhood Organization voted to support the project and all of its applications (Attachment 10).

FINDINGS

A. Findings as Required By the Minneapolis Zoning Code for the Petition to Rezone the Property 1108 & 1112 Main St. NE from R3 to C2.

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

The following is a review of the project relative to the applicable plans and policies of the City.

a. The City's Goals (selected goal): Increase the City's population and tax base by developing and supporting housing choices city-wide through preservation of existing housing and new construction.

b. The *Minneapolis Plan* (adopted by the City Council in 2000):

Policy 4.1: Minneapolis will grow by increasing its supply of housing.

Implementation Steps (selected):

- Support the development of new medium- and high-density housing in appropriate locations throughout the City (refer to Policy 9.1).
- Support the development of infill housing on vacant lots. Use partnerships and incentives to reduce city subsidy level and duration of vacancy.

Policy 4.2: Minneapolis will coordinate land use and transportation planning on designated Community Corridors streets through attention to the mix and intensity of land uses, the pedestrian character and residential livability of the streets, and the type of transit service provided on these streets.

Implementation Steps (selected):

- Strengthen the residential character of Community Corridors by developing appropriate housing types that represent variety and a range of affordability levels.
- Promote more intensive residential development along these corridors where appropriate.
- Require that street design for these corridors preserves and enhances the strong residential character and pedestrian orientation of these streets while maintaining the street's capacity to carry current volumes of traffic.
- Discourage the conversion of existing residential uses to commercial uses, but encourage the development of mixed-use residential dwelling units in commercial buildings where appropriate.
- Support the continued presence of small-scale retail sales and commercial services along Community Corridors.
- Ensure that commercial uses do not negatively impact nearby residential areas.
- Prioritize transit advantages to Community Corridor streets, and encourage the routing of express transit service to these streets wherever possible.

Policy 4.11: Minneapolis will improve the availability of housing options for its residents.

Implementation Steps (selected):

- Increase the variety of housing styles and affordability levels available to prospective buyers and renters.
- Provide and maintain moderate and high-density residential areas.

- Provide and maintain areas that are predominantly developed with single and two family structures.
- Promote the development of housing suitable for people and households in all life stages, and that can be adapted to accommodate changing housing needs over time.
- Promote accessible housing designs to support persons with disabilities.

Policy 4.3: Minneapolis will carefully identify project sites where housing redevelopment or housing revitalization are the appropriate responses to neighborhood conditions and market demand.

Implementation Steps (selected):

- Maintain and strengthen the architectural character of the city's various residential neighborhoods.

Policy 4.16: Minneapolis will promote housing development that supports a variety of housing types at designated Major Housing Sites throughout the city.

Implementation Steps (selected):

- Concentrate new housing developments in close proximity to amenities or in locations where value will be sustained over time.
- Develop a citywide Housing Strategy for placing medium (10-30 units per acre) to high-density (30+units per acre) new housing on major transportation and transit corridors and near commercial revitalization projects or neighborhood amenities (e.g. sites such as Growth Centers, Major Housing Sites, Commercial Corridors)
- Promote the development of new housing that is compatible with existing development in the area as well as to existing historic or older housing stock where appropriate.
- Provide the flexibility in the City's ordinances to accommodate new housing development tailored to meet a range of different housing submarkets.

Policy 9.1: Minneapolis will support the development of residential dwellings of appropriate form and density.

Implementation Steps (selected):

- 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.

Policy 9.8: Minneapolis will maintain and strengthen the character of the city's various residential areas.

Implementation Steps (selected):

- Infill development standards must reflect the setbacks, orientation, pattern, materials, height and scale of surrounding one and two family dwellings.
- Create traditional setbacks, orientations, pattern, height and scale of dwellings in areas where no clear architectural pattern exists.

Policy 9.9: Minneapolis will support efforts that recognize both the increased visibility and importance of corner properties and the role of gateways in enhancing traditional neighborhood character.

Implementation Steps (selected):

- Require site plan review of new development or major additions to new structures (other than single family homes) on corner properties.

Policy 9.11: Minneapolis will promote increased housing production in designated areas of the City in order to accommodate population growth.

Implementation Steps (selected):

- Use both infill development and new development opportunities to increase housing in the city.
- Consistent with the City of Minneapolis adopted Housing Principles, develop strategies so that the variety of housing types throughout the city and its communities shall be increased, giving prospective buyers and renters greater choice in where they live.
- Develop an approach to residential development which combines housing form and housing density; for example, medium density residential development may be a townhouse development as well as a high-rise structure, while an attached dwelling form may result in a low density development or a medium density development.
- Ensure that new development projects incorporate a mix of housing types and affordability levels to reach a range of housing submarkets.

Policy 9.12: Minneapolis will promote housing development that supports a variety of housing types at designated Major Housing Sites

throughout the city.

Implementation Steps (selected):

- Develop a citywide Housing Strategy for placing medium (10-30 units per acre) to high-density (30+units per acre) new housing on major transportation and transit corridors and near commercial revitalization projects or neighborhood amenities (e.g. sites such as Growth Centers, Major Housing Sites, Commercial Corridors)
- Concentrate new housing developments in close proximity to amenities or in locations where value will be sustained over time.
- Promote the development of new housing that is compatible with existing development in the area, as well as to existing historic or older housing stock where appropriate.
- Provide the flexibility in the City's ordinances to accommodate new housing development tailored to meet a range of different housing submarkets.

c. **Petition's Consistency with City Plans and Policies:** The following describes how the petition relates to the above plans and policies and the Zoning Code:

- The proposed petition to rezone the two lots on the project site from R3 to C2 would maximize the use of the site for mixed-use (commercial and residential) purposes. The project would help to grow the City's population and tax base and provide housing for people. This is consistent with the above selected City Goal, and to some degree, Policies 4.1, 9.1, and 9.11.
- Policy 9.12 encourages new medium-to-high density residential growth near amenity areas. This is a high density development at 50 units per acre and it is located three blocks from the River and within a stable residential area.
- Policies 4.1, 4.16, 9.1, 9.11, and 9.12 also require that new housing be compatible with the existing housing in the area and they require the City to "maintain areas that are predominantly developed with single and two family structures," which is the case here.
- Policy 4.2 encourages residential development and especially mixed residential-commercial development along Community Corridors. The Plan designated Broadway as a Community Corridor. As such high density housing in a mixed-use project is an appropriate use, per Policy 4.16, 9.1, and 9.12.
- Policy 4.11 encourages new residential development to be compatible with the existing residential uses. There is a range of residential densities in the area of the site. The residential portion

of the project will be compatible with these existing low-to-high density residences.

- The commercial portion of the project is consistent with the Implementation Steps for Policy 4.2 that encourages support for small-scale retail sales and commercial services along Community Corridors.
- There is no public subsidy for the development consistent with Policy 4.1.
- Policies 4.16, 9.1, 9.11, and 9.12 state that the appropriate locations for placing medium (10-30 units per acre) to high-density (30+ units per acre) new housing is on major transportation and transit corridors and near commercial revitalization projects, or on sites such as Growth Centers, Major Housing Sites, Community Corridors and Commercial Corridors. Although the Plan does not designate this site or area for any of these growth classifications, the Plan does designate Broadway as a Community Corridor appropriate for residential and commercial growth.
- The building is built up to both corners of Broadway at Main and at 2nd St. NE consistent with Policy 9.9.
- At five stories and 62 ft. in height, the design, massing, and bulk, of the project are compatible with the character of the mixed residential and commercial neighborhood consistent with Policy 9.8, 9.11, and 9.12.
- Policies 4.16 and 9.12 call for flexibility to accommodate new housing development, and Policies 9.8 and 9.9 describe specific site plan requirements, especially for corner properties. Subsequent analysis of the site plan review and preliminary plat applications indicate the project will comply with the applicable regulations of the Zoning Code and will be consistent with these policies.

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

Rezoning to allow the development of an underutilized site for mixed commercial-residential purposes is both in the City's interest and in the developer's interest.

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 area has a range of zoning classifications (Attachment 1) and uses: Residential uses range from low to high density and are zoned medium-to-high-

density residential (R3, R5, and R6). Commercial uses are zoned C1 and C2. There are also industrial uses within the I1 District to the northwest. The property adjacent to the north of the site is medium-density residential and is zoned R3. Across 2nd St. is a high-density residential development zoned R5. All of the site but the two subject parcels is currently zoned C2. Rezoning the two parcels to C2 will expand this existing district and allow accessory parking for the commercial uses that will be located within the current C2 District. The rezoning will be compatible with the surrounding uses and the nearby zoning districts.

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.**

   The R3 zoning allows medium-density residential uses.

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

   This is a very stable neighborhood comprised of a variety of residential types and densities that range from low density to high-rise development.

CONDITIONAL USE PERMIT FOR THE MULTI-FAMILY USE

Findings as required by the Minneapolis Zoning Code:

The 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, comfort or general welfare.**

   The Preliminary Plan Review Committee comprised of City staff reviewed the project as regards potential impacts on public health, safety, comfort or general welfare on 11/10/04 and made no substantive changes to the project.

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 new mixed-use commercial-residential project will be compatible with the nearby commercial uses and with the surrounding residential uses.

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

Adequate access roads and drainage will be provided. There is sufficient parking on site for the residents and the commercial patrons. Route 27 provides regular north-south transit service along Main St. and River Rd. including service to Downtown. There is a bus stop on the site.

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

Adequate measures will be provided to minimize traffic congestion. The project meets the Zoning Code's parking requirements and Public Works and the Fire Department have approved the curb cuts, access, and parking lot design. The applicant will work with Metro Transit to relocate the bus stop on 2nd St.

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

Refer to the response to Finding 1 for the rezoning petition.

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 conditional use application.

CONDITIONAL USE PERMIT FOR INCREASED HEIGHT

Findings as required by the Minneapolis Zoning Code:

The 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, comfort or general welfare.

The applicant's statement follows:

> "This proposal requests to add one additional story, and 6 additional feet, to the height of Crescent Trace. The current zoning allows for a building 56'-0" in height or 4 stories; whichever is less. The change we are requesting would increase our building from 4 to 5 stories in those portions of the building which are not above the commercial spaces. That is because the commercial spaces, by necessity, are two-story high spaces. We are requesting a building height of 62'-0".

> "Our reason for requesting an increased height is that we believe that the fifth story adds character to the building, improving its scale and proportion and providing a more cohesive, consistent look to the project. In addition, as this project is not asking for any city assistance, the additional 8 units within the 5-story portion of the building would assist greatly in making this a viable project financially.
>
> "The Sheridan Neighborhood Organization is very supportive of this project in general, and in particular, its height increase. This project meets all density and site coverage covenants. We believe this 5 story design is in keeping with the vernacular of the Sheridan Community and has no deleterious affect on any neighboring structures."

Attachment 5 illustrates the scale of the project in comparison to surrounding uses. Within a few blocks of the site is the Grain Belt Brewery that is nearly twice the height of the project, and two taller residential structures (6 and 7 stories) are within two blocks of the site. The rest of the structures in the area are generally residences that are 2-3 stories in height. The extra floor and the 6 feet in excess of the Zoning Code will not constitute a substantial variation from the Code and it will be compatible with other uses in the area.

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.

Attachment 6 includes a shadow analysis of the project. Most of the shadows of the project will stay on the site. The exceptions are as follows:

- June 21: Some shadowing of the south side of the apartment building to the northwest of the site in the morning (1115 Main St.).
- December 21: Shadowing of the south side of the 1115 Main St. apartment during most of the day.
- Equinoxes: No shadowing of other structures.

There is no shadowing of public spaces. Refer also to the above responses.

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

The extra floor and height will allow 8 additional units. As stated above, there will be adequate access roads, parking, and drainage on site for the residents and the commercial patrons.

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

Refer to the above responses.

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

Refer to the response to Finding 1 for the rezoning petition.

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

Additional Standards for Increasing Maximum Height per 548.110

1. Access to light and air of surrounding properties.

Refer to the above responses to Finding # 1 & 2.

2. Shadowing of residential properties or significant public spaces.

Refer to the above response to Finding # 2.

3. Scale and character of surrounding uses.

Refer to the above response to Finding # 1.

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

The project will block views to the south and southeast from the adjacent apartment building at 1115 Main St., however, none of these views include landmark buildings, significant open spaces, or water bodies.

YARD VARIANCE

Findings as Required by the Minneapolis Zoning Code for a Variance to allow Parking in a Rear Yard Setback:

The Board of Adjustment and Planning Commission shall not vary the regulations of the zoning code, unless it makes each of the following findings based upon the evidence presented to it in each specific case:

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

The lot has an irregular shape. Because the rear yard of the project abuts residential zoning, the residential yard requirements apply. The five-story height of the project determines the rear yard setback at 13 feet (5' + 4 stories above the first floor X 2' = 13'). For less than half of the rear yard, the 18 parking stalls extend to within 8 feet of the property line, 5 feet within the required yard setback. In the eastern half of the site where the parking extends into the rear yard setback, the buildings are over 80 feet from the side yard of the adjacent residence. Compliance with the Code would require a reconfiguration of the drive lanes and parking areas and create a problem for the drive lanes into the garages for the town home units. Conformance would also eliminate at least two parking stalls which would make the project out of compliance with the parking requirements of the Zoning Code.

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.

Refer to the above response.

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.

As stated above, this project will be compatible with the surrounding uses. The landscape plan provides adequate screening and aesthetic improvements to mitigate the presence of parking 8 feet closer to the side of the adjacent residence than the Code would allow. The applicant will install a 6-foot fence along the property line between the parking and the neighboring yard to completely screen the parking.

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.

Refer to the above responses.

SITE PLAN REVIEW

Findings as Required By the Minneapolis Zoning Code:

Section A. The site plan conforms to all applicable standards of Chapter 530, Site Plan Review. (See Section A below for evaluation.)
Section B. The site plan conforms to all applicable regulations of the zoning ordinance and is consistent with applicable policies of the comprehensive plan (refer to the above discussions).
Section C. The site plan is consistent with applicable development plans or development objectives adopted by the City Council (refer to the above discussions).

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.**

Planning Division Evaluation of Building Placement and Façade Requirements:

- Consistent with the Code, the building is built up the two corners of Broadway at Main and at 2nd St. with below-grade parking beneath the units and visitor parking located to the rear of the building.
- The project includes landscaping between the building and the streets.
- The building has entrances on both Broadway and Main St. consistent with the Code.
- All facades include common elements of architectural interest (porches, railings, jut-outs, etc.) and building materials (brick and paneling), and more than 30% windows on the first and other floors.

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 on-site snow storage are provided.**
- **Site plans shall minimize the use of impervious surfaces.**

Planning Division Evaluation of Access and Circulation:

- All entrances are connected to the sidewalks.
- All vehicular access is via a curb cut on Broadway and one on 2nd St.
- There are on-site areas for snow storage.
- All areas not covered by the building, parking, and walkways are landscaped in order 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.**
- **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.**

Planning Division Evaluation of Landscaping and Screening:

- The site (49,074 sq. ft.) less the footprint of the building (17,769 sq. ft.) equals a net site of 31,305 sq. ft. The project includes 8,906 sq. ft. of landscaping, which equals 28% of the net site.
- The site includes a rain garden that will capture and treat most of the on-site stormwater.
- All required yards include more than the minimum amount of landscaping, bushes, trees, and screening.
- All parking areas are bounded by continuous curbing.

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: The Police Division has reviewed the plans.**
- **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.**

Planning Division Evaluation of the Additional Standards:

- The applicant will comply with the lighting requirements in the Zoning Code. No fixtures will create off-site glare.
- As regards the blocking of views and shadowing, refer to the above conditional use permit for increased height. The 6-story height of the structure will not cause a significant blocking of important views or pedestrian-level winds, nor will the height create excessive shadowing...
- The Police Department reviewed the site plan.
- There are no historic district issues.

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

ZONING CODE:

Hours of Operation: Hours businesses can be open to the public in the C2 District are 7:00 a.m. to 10:00 p.m. Sunday through Thursday and 7:00 a.m. through 11:00 p.m. Friday and Saturday.

The applicant will comply.

Dumpster screening: Section 535.80. Refuse storage containers shall be enclosed on all four (4) sides by screening compatible with the principal structure not less than two (2) feet higher than the refuse container or shall be otherwise effectively screened from the street, adjacent residential uses located in a residence or office residence district and adjacent permitted or conditional residential uses.

Trash will be enclosed in an on-site accessory building.

Signage: All new signage is required to meet the requirements of the Zoning Code and permits are required from the Zoning Office.

Attachment 3 includes the plan for the monument sign to be located at the corner of Broadway and Main. It has 13 sq. ft. of signage and complies with the sign ordinance. The applicant has not provided a signage plan for the commercial buildings, but is aware that all new signage is required to meet the standards of the code.

MINNEAPOLIS PLAN:

Applicable policies of the *Minneapolis Plan:* Refer to the findings above.

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

There are no development plans or objectives approved by the City Council for this specific area beyond the Comprehensive Plan.

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 Division Analysis Regarding Alternative Compliance:

The site is in compliance with the Code therefore alternative compliance is not applicable.

Required Findings:

1. **Subdivision is in conformance with the land subdivision regulations including the requirements of section 598.80 relating to protection of natural resources, applicable regulations of the Zoning Code, and policies of the Comprehensive Plan.**

The responses to the above findings for the other permit applications detail how the project will protect natural resources, complies with the Zoning Code, and is consistent with the Comprehensive Plan. The Public Works department will require the applicant to prepare an Erosion Control Plan and a Stormwater Management Plan prior to the issuance of permits.

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.

Refer to the responses to the above findings for the other permit applications.

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.

Refer to the responses to the above findings for the other permit applications and the response to Finding #1 above.

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.

Refer to the responses to the above findings for the other permit applications.

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.

Refer to the responses to the above findings for the other permit applications and the response to Finding #1 above.

RECOMMENDATIONS

A. Rezoning Petition: The Community Planning and Economic Development—Planning Division recommends that the City Planning Commission adopt the above findings and

approve the rezoning of 1108 & 1112 Main St. from R3 to C2, Neighborhood Corridor Commercial District for the Crescent Trace project to be located at 1101 Main St. NE.

B. **Conditional Use Permit for the Use:** The 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 the Crescent Trace project to be located at 1101 Main St. NE with the following conditions:

1. The Community Planning and Economic Development—Planning Division shall review and approve the final site, landscape, and lighting plans.

2. The applicant shall contract to have deconstruction services for the two houses to be demolished.

C. **Conditional Use Permit for Increased Height:** The Community Planning and Economic Development—Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the conditional use permit application to increase the height to 62 feet for the Crescent Trace project to be located at 1101 Main St. NE.

D. **Yard Variance:** The Community Planning and Economic Development—Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the rear yard variance for parking for the Crescent Trace project to be located at 1101 Main St. NE.

E. **Site Plan Review Permit:** The Community Planning and Economic Development—Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the site plan review permit application for Crescent Trace project to be located at 1101 Main St. NE with the following conditions:

1. The Community Planning and Economic Development—Planning Division shall review and approve the final site, landscape, and lighting plans.

2. The applicant shall participate in the applicable energy conservation programs offered by the utilities in order to maximize energy efficiency on the project.

3. If the site improvements exceed $2,000 in value, the applicant shall submit a performance bond for these improvements prior to the issuance of building permits.

4. The site improvements shall be completed by December 30, 2005 or the application may be revoked for noncompliance, unless extended by the Zoning Administrator or the City Council.

F. **Preliminary Plat:** The Community Planning and Economic Development—Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the preliminary plat (PL-165) for the Crescent Trace project to be located at 1101 Main St. NE.

ATTACHMENTS

1) Site and zoning map
2) Aerial photo
3) Site plan, landscape plan, floor plans, elevations, monument sign plan
4) Information from the applicant
5) Height study
6) Shadow study
7) Photos of the site and surrounding area
8) Preliminary plat
9) Legal description
10) Letter from the neighborhood group.
11) Zoning data sheet