Excerpt from the CITY PLANNING COMMISSION MINUTES

Minneapolis Community Planning & Economic Development (CPED) Planning Division

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MEMORANDUM

DATE: March 19, 2008

TO: Steve Poor, Planning Supervisor – Zoning Administrator, Community Planning

& Economic Development - Planning Division

FROM: Jason Wittenberg, Supervisor, Community Planning & Economic Development -

Planning Division, Development Services

CC: Barbara Sporlein, Director, Community Planning & Economic Development

Planning Division

SUBJECT: Planning Commission decisions of March 17, 2008

The following actions were taken by the Planning Commission on March 17, 2008. As you know, the Planning Commission's decisions on items other than rezonings, text amendments, vacations, 40 Acre studies and comprehensive plan amendments are final subject to a ten calendar day appeal period before permits can be issued:

Commissioners present: President Motzenbecker, El-Hindi, Huynh, LaShomb, Nordyke, Norkus-Crampton, Schiff and Tucker -8

Not present: Commissioner Williams (excused)

Committee Clerk: Lisa Baldwin (612) 673-3710

6. Jacqueline Hamilton (BZZ-3955, Ward: 4), 2015 Lowry Ave N (Michael Wee).

A. Rezoning: Application by Jacqueline Hamilton to rezone the property at 2015 Lowry Ave N from OR1 Neighborhood Office Residence District to C1 Neighborhood Commercial District. The property has two existing retail spaces, one occupied by the applicant and the second one is offered for lease.

Action: The City Planning Commission recommended that the City Council adopt the findings and **approve** the petition to rezone the property at 2015 Lowry Ave N from OR1 to C1 district.

B. Variance: Application by Jacqueline Hamilton for a parking variance to reduce the required parking spaces from 9 to 7 for property located at 2015 Lowry Ave N.

Action: The City Planning Commission adopted the findings and **approved** the variance to reduce the required parking spaces from 9 to 7 spaces for the property at 2015 Lowry Ave N subject to the following conditions:

- 1. CPED Planning staff review and approval of the final site plan and landscaping plan in compliance with section 530.170 and 541.360 of the zoning code.
- 2. Parking spaces must be marked per requirements of Section 541.320 of the zoning code.
- 3. Parking area and driveway must be designed with wheel stops or discontinuous curbing as required by section 530.230 of the zoning code.
- 4. All site improvements shall be completed by March 17, 2008, unless extended by the zoning administrator, or the permit may be revoked for noncompliance.

President Motzenbecker opened the public hearing.

No one was present to speak to the item.

President Motzenbecker closed the public hearing.

Commissioner Tucker moved approval of the staff recommendation (Huynh seconded).

The motion carried 7-0.

7. Unity Place (BZZ-3930, Ward: 1), 2611 Central Ave NE (Janelle Widmeier).

A. Rezoning: Application by Vicky Frahm, on behalf of Ebullient Investments, LLC, for a petition to rezone from C1 Neighborhood Commercial District to C2 Neighborhood Corridor Commercial District for property located at 2611 Central Ave NE.

Action: The City Planning Commission recommended that the City Council adopt the findings and **approve** the petition to rezone the property of 2611 Central Ave NE from the C1 district to the C2 district.

B. Conditional Use Permit: Application by Vicky Frahm, on behalf of Ebullient Investments, LLC, for a conditional use permit to allow assisted living for property located at 2611 Central Ave NE.

Action: The City Planning Commission adopted the findings and <u>approved</u> the conditional use permit to allow assisted living with 33 residents located at the property of 2611 Central Ave NE, subject to the following conditions:

- The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within one year of approval.
- 2. Adoption of the rezoning amendment by the City Council.
- 3. The applicant is encouraged to provide one secure bicycle parking space for each resident.
- 4. The site shall be brought into compliance with the zoning code provision of section 541.360(a), Landscaping, screening and curbing, on the north side of the parking area as recommended by staff. Community Planning and Economic Development Department Planning Division staff shall review and approve the final site and landscape plans.
- 5. All site improvements shall be completed by April 18, 2009, or the permit may be revoked for non-compliance.
- 6. Compliance of the specific development standards for assisted living as required by Chapter 536 Specific Development Standards of the zoning code.
- **C. Variance:** Application by Vicky Frahm, on behalf of Ebullient Investments, LLC, for a variance to reduce the minimum lot size requirement for property located at 2611 Central Ave NE.

Action: The City Planning Commission adopted the findings and <u>approved</u> the variance to reduce the minimum lot size requirement by 18.6 percent to allow assisted living at the property of 2611 Central Ave NE, subject to the following condition:

1. Adoption of the rezoning amendment by the City Council.

President Motzenbecker opened the public hearing.

No one was present to speak to the item.

President Motzenbecker closed the public hearing.

Commissioner Tucker moved approval of the staff recommendation (Huynh seconded).

The motion carried 7-0.

11. Cedar Riverside Small Area Plan (Ward: 2) (Beth Elliott).

A. Small Area Plan: Consideration of adoption of the Cedar Riverside Small Area Plan.

Action: The City Planning Commission recommended that the City Council <u>adopt</u> the Cedar Riverside Small Area Plan as an articulation of and amendment to the policies found in the City's comprehensive plan with the following changes:

- 1. The property located at 1500 6th St S shall be changed from residential to mixed use.
- 2. Change first bullet point on page 78 to read: design that clearly defines street frontages at the pedestrian level of the built environment.

On page 83, item #12, add additional sentence that reads: Encourage institutions to expand housing options in the neighborhood based on best practices that include opportunities for lifelong learners.

Staff Elliott and Staff Maze presented the report.

Commissioner Norkus-Crampton: I was really impressed with the partnership building. I think that's part of the political success of any small area plan is that you get all the people in the same room actually talking about stuff and trying to envision things together and trying to make sure that there is a certain amount of buy-in from all the stakeholders. This is obviously a starting point because a lot has to happen. I think that the bike pedestrian connectivity in this area...the road infrastructure, the way it's set up for the standard car traffic, it's pretty substandard and cuts off a lot of people off from services. For instance, now we have North Country Co-op that's closed, the brand new Seward Co-op they have to get all the way over to Franklin and certainly some of those roads for bicycles are pretty substandard. I know that 20th St is a street that people use a lot, Riverside for biking since you have to go by an entrance ramp on to 94 to get past that, that always felt very risky to me as a bicyclist so I always preferred 20th or one of these other areas. We've also been paying attention to the Riverside hospital for Fairview, trying to get at least a boulevard on 24th St to make the pedestrian placement on that road. I guess what I think about with a lot of this and talking about partnerships is just that the players, if there is any way we can encourage them to take ownership since they have so much of the property and take up so much of the street between Fairview, the University and Augsburg, you do end up with quite a bit of street that if they took some ownership in terms of trees, just making them more aesthetic, trying to take care of their portion of the public realm and it also seems like sometimes we've had to struggle to make sure that Cedar or Riverside isn't seen at the backyard or the back of their building, but try to get them to view it as their front yard. We've also talked about the infrastructures that exist as far as enhancing the transit because if there is any demographic that would use a lot of transit and bicycling and walking it would be in this area; talking about some of the shuttles that the hospitals already use, some of the other transportation, supplemental transportation systems that the University and Augsburg already use and try to coordinate those services so that way they have some connection with the future light rail station and we can actually move people around and enhance the infrastructure we have rather than having everybody try to figure out how they get to the number two bus to get to the other area and all this other stuff. It seems like there are a lot of opportunities here and I think you guys have done a really great job of starting that dialogue going. I guess the one other thing that I do think about in terms of green space is that...

President Motzenbecker: Do we have a question? We haven't opened the public hearing yet.

Commissioner Norkus-Crampton: Oh, I'm sorry, excuse me. I was just going to ask a question right now. The Riverside Park, that is one area of green space that's on that area and I don't see you guys referring to that very much on her but it does seem like that really is thee green amenity for this area; is there any talk of trying to enhance access to those kinds of things? You do have a

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Not Approved by the Commission

lot of families and stuff here besides students and it does seem like that's an underutilized park at this point.

Staff Elliott: We did have a couple specific meetings. Commissioner Norkus-Crampton is talking about the park over in this area of the neighborhood, Riverside Park. The residential area, they consider themselves Riverside Park residents. We did have a couple meetings with them specific for just the residents in that area. They had a lot of concerns about some of the amenities in the park, some of the upkeep, things like that. In the land use and design chapter, we summarized those comments, however, we did realize that we are bound a little bit by the fact that it's an independent park board and we did relay those comments and concerns to the Park Board staff. We did include as much as we possibly could about general gathering, open spaces and more green in this neighborhood but we thought we went as far as we possibly could with recommendations on park board property.

Staff Maze: We did have some recommendations related to making connections to the U's campus, the big institutional campus that basically is between the neighborhood residents and that and saying to encourage; obviously we can't make the U make those connections, but when we're working with them to make sure that there are opportunities to link in as best we can.

Commissioner Norkus-Crampton: Since we have so many vacated roads in that area it makes it kind of tricky to even find your way over there.

Staff Elliott: I wanted to mention something quickly about that point. The reason I brought up this map is because it shows the disconnected street grid in this neighborhood. I know that we have as a general city policy that we like to reduce the number of vacated streets and really we do thorough analysis to make sure that they're needed. This neighborhood particularly needs more analysis and we should have a higher standard in this neighborhood. As you mentioned on Riverside, it's on of the only bike routes you can do because it's one of the only routes that actually goes through the neighborhood. We did vacate a couple streets recently to Fairview. Augsburg is doing master planning and would like to see something similar so I just wanted to reiterate that we do have that as a high level of standard in this plan to not only not eliminate but try to increase the number of connections for all modes, including cars, in this neighborhood.

President Motzenbecker opened the public hearing.

Robert Johnson (1500 6th St S) [not on sign-in sheet]: My house is 150 or 25' from the Cedar-Riverside LRT station. I have 104 year old building which 15 years ago when I retired from the University as a professor, I bought the building and have spent 15 or 16 years resurrecting this building which had been boarded up for 12 years. It is a classic old building and it's not on a historic register but it has been declared by Council Member Goodman as not to be taken out. This building spent it's first 80 years, from 1904 until 1980, as a mixed-use building. It was built by the Gluek Brewing Company and it was used for business purposes on the main floor and residents on the second floor. I've occupied the whole building, but use mainly the second floor where I live. Included in your packet is an email from me, which requests this property be declared as mixed-use rather than residential just by a quirk of development. When the four blocks on which Riverside Plaza or Cedar Square West was built in 1972, this property was amalgamated there and zoned R6 which is not really appropriate for that building. I ask for that property to be indicated as mixed-use because I won't always be in that building. The second thing I want to speak about is parking. Everybody always says that parking in Cedar Riverside is

a terrible situation; however, we have a new LRT station 125 feet from my building. On 6th St from Cedar to 15th Ave and on 15th Ave from 4th St to 6th St the parking is totally unrestricted and has been for many years and is used for parking by residents of Riverside Plaza who stay there. Sometimes their cars are parked there for two or three weeks. Sometimes they have flat tires or other such things. I have been a member of the board of the neighborhood organization for many years but not for the last several and also for the business association; Cedar Riverside business association. For several years, even before the LRT station was activated, we tried to get parking meters in the vicinity of this LRT station, but there seems to be some inertial resistance against that. The facts are that the city sold Riverside Plaza to George Sherman in a real deal about 1988 and he controls a parking ramp which has, according to the specifications, 1000 parking stalls. I have surveyed that building a couple of times several years ago very early in the morning in August to see how many spaces were vacant. It appears that there are about 250 to 300 unused spaces in that building. The city should really put some pressure on George Sherman, who got that property for a song, to rent those spaces to his own residents at an affordable price because now they're going to continue to use...there are about 150 parking spaces in the street on 4th between Cedar and 15th Ave and on 15th Ave between 4th and 6th St, right there by the LRT station which should be available to people. There are about 150 spaces which are going to continue to be used for that purpose. I hope that this will be given due consideration to help the parking issue in Cedar Riverside.

Commissioner Schiff: Can we clarify the address of that building that...

Staff Elliott: Mr. Johnson's property... the LRT station is back here, here is where Bedlam Theatre is and Mr. Johnson's property is right here.

Commissioner Schiff: So the change proposed is to mixed-use?

Staff Elliott: We are currently proposing it for residential...(off mic).

Commissioner Schiff: Do you have any pictures of the building? Was it originally built as a mixed-use building? It's pretty historic, right? I had it in my mind, but I wasn't sure if that was the exact building or not. Ok. Thank you.

Jim White [not on sign-in sheet]: I'm with Fine Associates. We are the developers of the proposed Curry Park developments. I have to say, I would second what Dr. Johnson said about his property. He has a unique property and if he needs it mixed-use, I would presume the tent would be large enough to let a small property have a couple thousand square feet of retail use. It was residential upstairs, a tavern downstairs when it was built 110 years ago or so. It doesn't seem to be a big issue to a city that looks at zoning in the large picture. I couldn't help but comment on the plan overall. There has been a lot of activity by the city lately and the city is to be congratulated. It found two of the fastest talking speakers in the department to speak who come out and zip through all this information but they've sort of grabbed the nub of the proposals and tried to incorporate it and they've done a pretty good job of weaving all the things together. What they won't say in an official document is how desperate the neighborhood is. It's the poorest neighborhood in Minnesota. It's the densest area in this whole part of the United States. It has a high unemployment rate. Our initiative is going to tailor with hers. Not only do we want to see the neighborhood rise, but we also want to do what staff has suggest which is that we partner with the big institutions because if they're worth their salt they're going to take care of this neighborhood just like all the other big schools in the United States do like Yale and Berkley and so on. They try to develop the neighborhoods around them. One of the reasons, I believe, that commercial doesn't do as well is because the University has a lot of commercial developments within itself. If you go there and walk through there you will see every kind of service and store. It never goes commented on. It's very much like the airport and it siphons off retail uses within the neighborhood. That's one of those other things we have to get to the partnership with and start working with those folks on. I'm excited about the NRP plan. The staff is excited and aggressive. They contact me a lot. I'll be bringing something forward to you guys and I hope you will give it your approval and recommendation at City Council. Thank you.

President Motzenbecker closed the public hearing.

Commissioner Schiff: I move approval with the suggested change of that property identified by Mr. Johnson of the mixed-use designation (El-Hindi seconded).

President Motzenbecker: I had a couple suggestions. Page 78, at the very top, the bullet was a little unclear and confusing for me; the language there. Maybe you want to look at that and kind of rework that a little bit. I'm assuming you were meaning architectural street facades when you were talking about street frontages at pedestrian level of built environment. It was just a little unclear of what that was talking about. It seemed a little redundant and unclear. Maybe it was development design that clearly defines the architectural nature of the... it just may need some work for that little bullet. I'll leave it up to staff to just kind of rework it. I did want to maybe, in the recommendations for land use on 82 and 83, number 12 "work with institutions to create incentive programs for employees to live in or near the neighborhood" maybe there is a recommendation there to add to that number where there is some language speaking about looking at precedents for kind of mixed use housing with the institutions; lifelong learning, there are pieces like that that are being used for precedents out there that might be able to be looked at and encouraged by the comprehensive plan as things develop along Riverside.

Staff Elliott: I'm sorry, Commissioner Motzenbecker, can you please clarify which point you're referring to?

President Motzenbecker: Page 83, number 12. I thought that might be a good jumping off point to...

Staff Elliott: Do you have specific language you'd like us to add to it?

President Motzenbecker: I think as a second sentence that institutions, should they want to expand and offer new facilities along Riverside that they should look to precedents for lifelong learning housing public private partnership types of things that could help with that mixed use that the plan is desiring along that street façade. My last point, this is one that I just have in general for planning. I've said it before and I wish we could just find a new way to use the whole "m-word", the "mitigating" word, I just hate it. It says to me that whatever we do is immediately wrong and we have to fix it as opposed to encouraging whatever we do to be good and well designed to begin with so we wouldn't have to mitigate it. I won't list them all, but I'm sure you have where they're at. I wish we could just look at rewording those areas a little bit and encourage a more positive design language. Otherwise, I wanted to say that this plan was the most incredibly well researched thing that I had read. The details that came the outset was amazing. I learned all kinds of stuff that I had never known and that I hadn't seen in other previous plans, detail wise, of research so you're to be applauded for that. I though it was

fantastic. Thanks for that. I think it was very well done. I think it was interesting that so much depends on these institutions and it's a really neat angle that you're taking and I hope that they step to the table and work with the city to really make your plan happen. Any further comments? All those in favor? Opposed?

The motion carried 6-0 (Nordyke not present for the vote).