

**Excerpt from the  
CITY PLANNING COMMISSION  
MINUTES**

**Minneapolis Community Planning & Economic Development (CPED)  
Planning Division**

250 South Fourth Street, Room 300  
Minneapolis, MN 55415-1385  
(612) 673-2597 Phone  
(612) 673-2526 Fax  
(612) 673-2157 TDD

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**MEMORANDUM**

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DATE: November 14, 2006

TO: Steve Poor, Manager, 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 November 13, 2006

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The following actions were taken by the Planning Commission on November 13, 2006. 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, Henry-Blythe, Huynh, LaShomb, Nordyke, Norkus-Crampton, Schiff and Tucker – 9

Not Present: Krueger

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**9. Penn Lowry Crossing, LLC (BZZ 3229, PL-205 and Vac-1505, Ward: 4), 3108, 3010 and 3120 Penn Ave N, 2125 Lowry Ave N and 3023, 3027, 3101, 3107, 3111, 3115 and 3119 Oliver Ave N (Hilary Dvorak). This item was continued from the November 13, 2006 meeting.**

**A. Rezoning:** Application by Steve Wellington, on behalf of Penn Lowry Crossing LLC, for to rezone a portion of the property located at 3010 Penn Ave N from the C2 district to the C1 district.

**Action:** The City Planning Commission recommended that the City Council adopt the findings and **approve** the rezoning of a portion of the property located at 3010 Penn Ave N from the C2 district to the C1 district.

**B. Rezoning:** Application by Steve Wellington, on behalf of Penn Lowry Crossing LLC, for the rezoning of 3108 and 3120 Penn Ave N and 2125 Lowry Ave N from the C1 district to the C2 district.

**Action:** The City Planning Commission recommended that the City Council adopt the findings and **approve** the rezoning of 3108 and 3120 Penn Ave N and 2125 Lowry Ave N from the C1 district to the C2 district.

**C. Rezoning:** Application by Steve Wellington, on behalf of Penn Lowry Crossing LLC, to rezone a portion of the properties located at 3107, 3111, 3115 and 3119 Oliver Ave N from the R2B district to the C2 district.

**Action:** The City Planning Commission recommended that the City Council adopt the findings and **approve** the rezoning of a portion of the properties located at 3107, 3111, 3115 and 3119 Oliver Ave N from the R2B district to the C2 district.

**D. Rezoning:** Application by Steve Wellington, on behalf of Penn Lowry Crossing LLC, to rezone a portion of the property located at 3119 Oliver Ave N from the R2B district to the C2 district.

**Action:** The City Planning Commission recommended that the City Council adopt the findings and **approve** the rezoning of a portion of the property located at 3119 Oliver Ave N from the R2B district to the C2 district.

**E. Rezoning:** Application by Steve Wellington, on behalf of Penn Lowry Crossing LLC, to rezone a portion of the properties located at 3023, 3027, 3101, 3107, 3111 and 3115 Oliver Ave N to add the TP Transitional Parking Overlay district to the existing R2B District.

**Action:** The City Planning Commission recommended that the City Council adopt the findings and **approve** the rezoning a portion of the properties located at 3023, 3027, 3101, 3107, 3111 and 3115 Oliver Ave N to add the TP Transitional Parking Overlay district to the existing R2B District.

**F. Conditional Use Permit:** Application by Steve Wellington, on behalf of Penn Lowry Crossing LLC, for a conditional use permit for a Planned Commercial Development located at 3108, 3010 and 3120 Penn Ave N, 2125 Lowry Ave N and 3023, 3027, 3101, 3107, 3111, 3115 and 3119 Oliver Ave N. The applicant is proposing to construct two commercial buildings on the site and a parking lot that would be shared by all of the tenants.

**Action:** The City Planning Commission adopted the findings and **approved** the conditional use permit application for a Planned Commercial Development located at 3010, 3108 and 3120 Penn Ave N, 2125 Lowry Ave N and 3023, 3027, 3101, 3107, 3111, 3115 and 3119 Oliver Ave N subject to the following conditions:

1. The freestanding sign shall not exceed 25 feet in height and 160 square feet in size.
2. The total amount of signage on the Lot 1 building shall not exceed 421 square feet.
3. The signs on the Lot 4 building shall meet the requirements of Chapter 543, On-Premise Signs.

**G. Conditional Use Permit:** Application by Steve Wellington, on behalf of Penn Lowry Crossing LLC, for a conditional use permit for a parking lot located in the TP Transitional Parking Overlay district at 3108, 3010 and 3120 Penn Ave N, 2125 Lowry Ave N and 3023, 3027, 3101, 3107, 3111, 3115 and 3119 Oliver Ave N.

**Action:** The City Planning Commission adopted the findings and **approved** the conditional use permit application for a parking lot located in the TP Transitional Parking Overlay district located at for a parking lot located in the TP Transitional Parking Overlay district located at 3010, 3108 and 3120 Penn Ave N, 2125 Lowry Ave N and 3023, 3027, 3101, 3107, 3111, 3115 and 3119 Oliver Ave N subject to the following condition:

1. A decorative metal fence, similar to the fence proposed to be located along Penn Ave N, shall be provided along the east and south sides of the parking lot. The fence along the south property line shall be located between the north edge of the alley and the landscaping.

**H. Variance:** Application by Steve Wellington, on behalf of Penn Lowry Crossing LLC, for a variance to reduce the front yard setback along Oliver Ave N from the established 22 feet to five feet for a portion of the surface parking lot located in the TP Transitional Parking Overlay district located at 3010, 3108 and 3120 Penn Ave N, 2125 Lowry Ave N and 3023, 3027, 3101, 3107, 3111, 3115 and 3119 Oliver Ave N.

**Action:** The City Planning Commission adopted the findings and **approved** the variance application to reduce the front yard setback along Oliver Ave N from the established 22 feet to five feet for a portion of the surface parking lot located in the TP Transitional Parking Overlay district located at 3010, 3108 and 3120 Penn Ave N, 2125 Lowry Ave N and 3023, 3027, 3101, 3107, 3111, 3115 and 3119 Oliver Ave N.

**I. Variance:** Application by Steve Wellington, on behalf of Penn Lowry Crossing LLC, for a variance of section 551.430(1)(b) which requires that the width of the parking lot in the TP Transitional Parking Overlay District not exceed 75 feet for properties located at 3108, 3010 and 3120 Penn Ave N, 2125 Lowry Ave N and 3023, 3027, 3101, 3107, 3111, 3115 and 3119 Oliver Ave N.

**Action:** The City Planning Commission adopted the findings and **approved** the variance application of section 551.430(1)(b) which requires that the width of the parking lot in the TP Transitional Parking Overlay District not exceed 75 feet located at 3010, 3108 and 3120 Penn Ave N, 2125 Lowry Ave N and 3023, 3027, 3101, 3107, 3111, 3115 and 3119 Oliver Ave N.

**J. Site Plan Review:** Application by Steve Wellington, on behalf of Penn Lowry Crossing LLC, for a site plan review of property located at 3108, 3010 and 3120 Penn Ave N, 2125 Lowry Ave N and 3023, 3027, 3101, 3107, 3111, 3115 and 3119 Oliver Ave N.

**Action:** The City Planning Commission adopted the findings and **approved** the site plan review for a Planned Commercial Development located at 3010, 3108 and 3120 Penn Ave N, 2125 Lowry Ave N and 3023, 3027, 3101, 3107, 3111, 3115 and 3119 Oliver Ave N subject to the following conditions:

1. The final design of the building on Lot 4 shall meet the standards of Chapter 530, Article II, Building Placement and Design.
2. Windows shall comply with the requirements of Section 530.120(2)(e) of the zoning code.
3. No signage shall be placed in the windows that provide views into and out of the grocery store.

4. The applicant is encouraged to reduce the length of the western most shelf in the grocery store to allow for increased views into and out of the building along Penn Ave N.
5. The applicant shall provide two additional trees on the site, either canopy or evergreen.
6. A decorative metal fence, similar to the fence proposed to be located along Penn Ave N, shall be provided along the east and south sides of the parking lot on Oliver Ave N.
7. There shall be a total of six trees provided along Penn Ave N.
8. The proposed solid wood fence on the north side of the alley shall be removed.
9. All of the parking space in the parking lot shall be located no more than 50 feet from an on-site deciduous tree as required by section 530.170 of the zoning code.
10. The retaining wall along the south property line should be designed so it is not conducive to loitering.
11. The applicant should consider graffiti protecting the building walls.
12. Approval of the final site, landscaping and elevation plans by the Community Planning and Economic Development Department – Planning Division.
13. All site improvements shall be completed by December 22, 2008, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

**K. Vacation:** Application by Steve Wellington, on behalf of Penn Lowry Crossing LLC, for an alley vacation for property located at 3108, 3010 and 3120 Penn Ave N, 2125 Lowry Ave N and 3023, 3027, 3101, 3107, 3111, 3115 and 3119 Oliver Ave N.

**Action:** The City Planning Commission recommended that the City Council adopt the findings and **approve** the vacation application of all that part of the public alley as platted in Block 2, Hamisch's Addition to Minneapolis, located north of a line extended west, and situated 14.71 feet south of the north line of Lot 9, said Addition, as of record at Hennepin County, Minnesota subject to the retention of an easement in favor of Xcel Energy and Qwest.

**L. Preliminary Plat:** Application by Steve Wellington, on behalf of Penn Lowry Crossing LLC, for a preliminary plat of property located at 3108, 3010 and 3120 Penn Ave N, 2125 Lowry Ave N and 3023, 3027, 3101, 3107, 3111, 3115 and 3119 Oliver Ave N.

**Action:** The City Planning Commission **approved** the preliminary plat application for the properties located at 3010, 3108 and 3120 Penn Ave N, 2125 Lowry Ave N and 3023, 3027, 3101, 3107, 3111, 3115 and 3119 Oliver Ave N.

President Motzenbecker opened the public hearing.

No one was present to speak to the item.

President Motzenbecker closed the public hearing.

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

The motion carried 8 – 0.