

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permit, Variances, Site Plan Review
BZZ – 3557

Date: June 25, 2007

Applicant: 1801 Park Partners LLC

Address of Property: 1801 & 1805 Park Ave S

Project Name: Infinity Lofts

Contact Person and Phone: David Crockett, 612-845-5290

Planning Staff and Phone: Tara Beard, (612) 673-2351

Date Application Deemed Complete: May 9, 2007

End of 60-Day Decision Period: July 8, 2007

End of 120-Day Decision Period: Not applicable

Ward: 6 **Neighborhood Organization:** Ventura Village, adjacent to Elliot Park
Neighborhood, Inc.

Existing Zoning: R6 Multiple Family District

Zoning Plate Number: 20

Lot area: 16,676 square feet

Proposed Use: Multi-family residential building with 36 dwelling units

Concurrent Review:

- Conditional use permit to create 36 new dwelling units
- Variance to increase the maximum lot coverage from 70% to 74.1%
- Variance to reduce the west front yard (Park Ave S) from 17.5 feet to 13 feet
- Variance to reduce the north front yard (18th St E) from 15 feet to 0 feet
- Variance to reduce the east interior side yard from 11 feet to 5 feet 1 inch
- Site Plan Review

Applicable zoning code provisions: Chapter 525, Article VII, Conditional Use Permits; Article IX, Variances – Chapter 530 Site Plan Review

Background: David Crockett has applied for land use approvals to construct a new multi-family residential building on the vacant corner property at 1801 and 1805 Park Ave S. The new building would be four stories high and approximately 43,493 square feet. The proposed project meets all height and parking requirements of the R6 District.

The project consists of one floor of underground parking, a first floor consisting of 7 dwelling units, storage and a fitness room, a second floor with 9 dwelling units and a club room, and a third and fourth floor with 10 dwelling units each.

The proposal requires yard setback variances on three sides of the property and a maximum lot coverage variance. This application was continued from the June 11, 2007 Planning Commission meeting so the applicant could explore design changes. The original application included a fourth yard setback and a larger maximum lot coverage variance request.

At the time of the writing of this report staff has not received any written correspondence from stakeholders.

CONDITIONAL USE PERMIT -

Required Findings for the Conditional Use Permit to allow 36 new dwelling units:

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

There is no evidence that creating 36 new dwelling units will adversely affect the public health, safety, comfort or general welfare at this location.

- 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.**

Other properties in the vicinity include housing of various densities and a church. All surrounding zoning is R6; the nearest change in districts is one block to the east and is OR3. Additional housing in the area would not injure the use and enjoyment of other property in the area.

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

Access to the enclosed parking will be off a new curb cut off Park Ave. Adequate utilities and drainage will be provided.

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

All parking is provided off street. The proposed new curb cut is located off Park Ave because of

the distance needed to slope downward to the underground level – an entrance off 18th St E would not accommodate the required slope. Other curb cuts exist off Park Ave on this block. Park Ave is a one-way traveling north and should be able to accommodate the new traffic proposed.

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

The 1800 block of Park Ave is two blocks west of a community corridor (Chicago Ave S) and two blocks north of a commercial corridor (Franklin Ave E). The site is directly across Interstate 94 from the downtown neighborhood of Elliot Park.

Specific policies in *The Minneapolis Plan* that apply to these applications include:

The Minneapolis Plan, Chapter 4.9 states: “Minneapolis will grow by increasing its supply of housing.” One of the implementation steps in this section is to “support the development of new medium- and high-density housing in appropriate locations throughout the City.” Amidst similarly dense housing near designated corridors and downtown, 1801-5 Park Ave S is an appropriate location for the proposed high-density housing.

The Minneapolis Plan, Chapter 4.11 states: “Minneapolis will improve the availability of housing options for its residents.” Implementation of this section includes increasing “the variety of housing styles and affordability levels available to prospective buyers and renters.” The proposal offers condo ownership in an area with a mix of single-family homes, rental properties, and other condo units. Another implementation step of this section is to “provide and maintain moderate and high-density residential areas,” and this project would provide a high density residential building.

6. And, does in all other respects conform to the applicable regulations of the district in which it is located upon approval of this conditional use permit.

In addition to Conditional Use Permit to allow 36 new dwelling units, the proposal requires multiple variances and a Site Plan Review. Preliminary Development Review for the project took place on May 23, 2007.

VARIANCES -

Findings Required by the Minneapolis Zoning Code for the Variance to increase the maximum lot coverage from 70% to 74.1%.

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

The applicant is requesting for additional lot coverage to provide a building footprint that will accommodate the minimum parking required entirely on the underground level. While it is reasonable to provide all required parking on-site, it is not clear why the underground parking

cannot be located far enough below grade to meet the maximum lot coverage. Above grade levels could then be reduced in area slightly without reducing the total number of units proposed.

- 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.**

There is nothing unique about the property that would affect maximum lot coverage. The parcels are relatively flat and rectangular with no existing structures on site. Staff has no evidence that moving the underground level entirely underground would present a hardship other than economic.

- 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.**

The spirit and intent of the ordinance in question is in part to avoid over-building sites with massive structures that offer little relief from the property line. Requiring a maximum lot area works with impervious surface and yard requirements to ensure that buildings do not cover the entire site and allow for landscaping, recesses and projections to break up building façades, and visual access into the site. In conjunction with three yard setback variances requested, staff is concerned that increasing the maximum lot coverage would not be keeping with the spirit and intent of the ordinance.

The applicant is proposing drainage from two patios above the underground garage to be re-used for site irrigation. The square footage of these patios exceeds the square footage of the building in excess of the maximum lot coverage. However, while this addresses the potential impervious surface impacts of the size of the building footprint, it does not address the other intended benefits to limiting lot coverage as described above.

- 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.**

The variance would have no impact on traffic congestion or fire and safety standards.

Findings Required by the Minneapolis Zoning Code for the Variance to reduce the west front yard (Park Ave S) from 17.5 feet to 13 feet.

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

The majority of the proposed front yard offers 15 feet from the property line; in two locations dwelling unit balconies greater than 50 sq. ft. in area extend into the front yard by two additional feet. The adjacent property to the south is set back 17.5 feet from its front property line,

extending the district standard for a front yard of 15 feet. It is reasonable to decrease the front yard setback slightly on a corner property.

- 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.**

The applicant is not responsible for the increased established front yard setback. The site's permitted density allows more units than are proposed, even without a density bonus for enclosed parking. The applicant is not responsible for the property's zoning district classification.

- 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.**

The spirit and intent of the ordinance in question is in part to create consistent build walls in residential areas. The placement of buildings along Park Ave varies and other buildings on the same side of the block as the subject site have front yards less than 15 feet despite the same R6 zoning district classification.

- 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.**

The variance would have no impact on traffic congestion or fire and safety standards.

Findings Required by the Minneapolis Zoning Code for the Variance to reduce the north front yard (18th St E) from 15 feet to 0 feet.

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

Only a portion of the 18th St E façade is less than 1 foot from the property line; the majority of the elevation is set back 6 feet. The adjacent residential building to the east faces 18th St E and is built right up to the property line in the front yard. It is reasonable for the applicant to propose a part of the elevation to line up with the adjacent property and to reduce other portions of the front yard facing 18th St E when the density of the building is well below the maximum.

- 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.**

The front yard of the adjacent residential property and the density permitted in the R6 District were not created by the applicant.

- 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.**

The spirit and intent of the ordinance in question is in part to create consistent build walls in residential areas. The placement of buildings along 18th St E is consistently built close or up to the property line. However, because this building wall is the longest facing a public street, staff does recommend limiting the percentage of the wall that is allowed a 0 foot setback to 50%. The remainder must be at least 6 feet from the property line consistent with the proposed site plan.

- 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.**

The variance would have no impact on traffic congestion or fire and safety standards.

Findings Required by the Minneapolis Zoning Code for the Variance to reduce the east interior side yard from 11 feet to 5 feet 1 inch.

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

There is over 30 feet of vacant land between the east interior side yard of the subject site and the adjacent residential building. While it is not impossible that development may occur on this site in the future, the likely impact of reducing the east interior side yard to 5 feet 1 inch is not significant. It is reasonable to extend the building into side yards where the impact is minimal when the total number of units proposed is well below what's permitted on the site.

- 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.**

The applicant is not responsible for the zoning district classification or the permitted density on the site.

- 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.**

The intent of the ordinance is to ensure that buildings are allowed enough separation to provide needed light, space, air, and access. The vacant area to the east allows more than enough space between the proposed building and the existing building to the east. The narrow width of the

vacant space between the two sites makes it unlikely that future development would occur in this location anytime in the near future.

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.**

The variance would have no impact on traffic congestion or fire and safety standards.

SITE PLAN REVIEW

Findings as Required By the Minneapolis Zoning for Site Plan Review

Required Findings for 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 and applicable small area plans adopted by the city council. (See Section B 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. In the case of a corner lot, the principal entrance shall face the front lot line.
- 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 walls shall provide architectural detail and shall contain windows as required by Chapter 530 in order to create visual interest and to increase security of adjacent outdoor spaces by maximizing natural surveillance and visibility.
- In larger buildings, architectural elements, including recesses or projections, windows and entries, shall be emphasized to divide the building into smaller identifiable sections.
- Blank, uninterrupted walls that do not include windows, entries, recesses or projections, or other architectural elements, shall not exceed twenty five (25) feet in length.
- Exterior materials shall be durable, including but not limited to masonry, brick, stone, stucco, wood, metal, and glass.
- 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 fronting along a public street, public sidewalk, public pathway, or adjacent to a residence or office residence district.
- Entrances and windows:
 - Residential uses:
 - Principal entrances shall be clearly defined and emphasized through the use of architectural features such as porches and roofs or other details that express the importance of the entrance. Multiple

entrances shall be encouraged. Twenty (20) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:

- a. Windows shall be vertical in proportion.
 - b. Windows shall be distributed in a more or less even manner.
- **Nonresidential uses:**

Principal entrances shall be clearly defined and emphasized through the use of architectural features such as roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Thirty (30) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:

 - a. Windows shall be vertical in proportion.
 - b. Windows shall be distributed in a more or less even manner.
 - c. The bottom of any window used to satisfy the ground floor window requirement may not be more than four (4) feet above the adjacent grade.
 - d. First floor or ground floor windows shall have clear or lightly tinted glass with a visible light transmittance ratio of 0.6 or higher.
 - e. First floor or ground floor windows shall allow views into and out of the building at eye level. Shelving, mechanical equipment or other similar fixtures shall not block views into and out of the building in the area between four (4) and seven (7) feet above the adjacent grade. However, window area in excess of the minimum required area shall not be required to allow views into and out of the building.
 - f. Industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, may provide less than thirty (30) percent windows on the walls that face an on-site parking lot, provided the parking lot is not located between the building and a public street, public sidewalk or public pathway.

Minimum window area shall be measured as indicated in section 530.120 of the zoning code.

- The form and pitch of roof lines shall be similar to surrounding buildings.
- **Parking Garages:** The exterior design shall ensure that sloped floors do not dominate the appearance of the walls and that vehicles are screened from view. At least thirty (30) percent of the first floor building wall that faces a public street, public sidewalk or public pathway shall be occupied by active uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.

Conformance:

- The proposed building would reinforce the street wall both along Park Ave and 18th St E. Pedestrian access is focused on the Park Ave façade and balconies on both frontages allow views from the site.
- The building is on a corner lot. The building is proposed at 13 and 0 feet from the two front yards. These distances are reductions from the required yards (see variance findings).
- Amenities between the building and the lot line include landscaping and balconies.
- Principal entrances to the lobby are provided off Park Ave.
- All parking is proposed to be located in a one level underground structure.
- The building uses recesses and projections, as well as windows and materials, to make the building understandable in smaller sections.
- There are no blank wall conditions shown on the submitted elevations.
- Materials include rockface CMU on the base of the building, cement fiber board siding, brick and metal panels. The materials are used similarly on each elevation.
- Windows are required on 30% of the first floor and 10% of each floor above the first floor for two sides of the building because they face a public street. The proposed windows provided are as follows:

- Park Ave (West) Elevation
 - 1st floor facing a public street: 30% required, 30% provided
 - 2nd floor facing a public street: 10% required, 37% provided
 - 3rd floor facing a public street: 10% required, 37% provided
 - 4th floor facing a public street: 10% required, 41% provided
- 18th St E (North) Elevation
 - 1st floor facing a public street: 30% required, 35% provided
 - 2nd floor facing a public street: 10% required, 36% provided
 - 3rd floor facing a public street: 10% required, 36% provided
 - 4th floor facing a public street: 10% required, 40% provided
- Plain-face concrete block is not proposed as an exterior material for any part of the building.
- The existing roof is flat, similar to nearby multi-family residential buildings.

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 530.150 (b) related to alley access.**
- **Site plans shall minimize the use of impervious surfaces.**

Conformance:

- All walkways leading to building entrances are more than 4 feet in width. All building entrances are clearly connected to the public realm.

- There are no transit shelters on or adjacent to the site.
- The only curb cut proposed on this site is off Park Ave to provide access to underground parking.
- There is no alley access adjacent to the site.
- All areas not needed for buildings, access, loading, or trash and recycling, will be landscaped.

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, including all required landscaped yards, shall be landscaped as specified in section 530.160 (a).
- 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.
- Except as otherwise provided, 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 530.170 (b), including providing landscape yards along a public street, public sidewalk or public pathway and abutting or across an alley from a residence or office residence district, or any permitted or conditional residential use.
- The corners of parking lots where rows of parking spaces leave areas unavailable for parking or vehicular circulation shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks or bicycle parking.
- In parking lots of ten (10) spaces or more, no parking space shall be located more than fifty (50) feet from the center of an on-site deciduous tree. Tree islands located within the interior of a parking lot shall have a minimum width of seven (7) feet in any direction.
- All other areas not governed by sections 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 530.210.
- 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 530.80, as provided in section 530.220.

Conformance:

- The lot area (16,676 sq. ft.) less the building footprint (12,363 sq. ft.) yields a net site of 4,313 sq. ft. The code requires a minimum of 863 sq. ft. of landscaping, 2 trees and 9 shrubs. The total landscaping proposed by the applicant is 3,469 sq. ft. This equals 80% of the net site. The proposed project includes 4 canopy trees, 8 ornamental trees, and dozens of shrubs.
- As all parking is provided underground, no associated landscaping or screening requirements exist.
- All areas not needed for buildings, access, loading, or trash and recycling, will be landscaped.

ADDITIONAL STANDARDS:

- All parking lots and driveways shall be designed with wheel stops or discontinuous curbing to provide on-site retention and filtration of stormwater. Where on-site retention and filtration is not practical, the parking lot shall be defined by six (6) inch by six (6) inch continuous concrete curb.

- To the extent practical, site plans shall minimize the blocking of views of important elements of the city.
- To the extent practical, buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.
- To the extent practical, 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 related to:
 - Natural surveillance and visibility
 - Lighting levels
 - Territorial reinforcement and space delineation
 - Natural access control
- To the extent practical, 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:

- There is no surface parking proposed on the site.
- The project will not block views of important elements of the city nor create any substantive shadows on adjacent buildings. Views of downtown from the building to the south may be lost, but private views are not necessarily protected by the zoning code. Furthermore, the applicant is not requesting more height than is permitted by right. The applicant is meeting the south interior yard setback to ensure adequate light and air for the existing residential dwelling to the south.
- The project would not be expected to contribute significantly to ground-level winds.
- The site design and landscape plan allows views from the public sidewalk into the site.

Alternative Compliance: The Planning Commission or zoning administrator may approve alternatives to any 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, green roof, decorative pavers, ornamental metal fencing, architectural enhancements, 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.

Conformance: Staff found no conditions that would require alternative compliance.

Section B: Conformance with All Applicable Zoning Code Provisions and Consistency with the Comprehensive Plan and Applicable Small Area Plans Adopted by the City Council.

Zoning Code: The proposed use is permitted in the R6 District.

Off-Street Parking and Loading: Chapter 541 of the code requires one parking space for each dwelling unit. The applicant is providing 35 underground parking spaces for 36 proposed units, and on-

site bicycle parking. Together these meet the parking requirement.

Maximum Floor Area: The maximum floor area ratio for a multiple-family dwelling in the R6 district is 3.0. With a 20% density bonus for providing all parking underground, the adjusted FAR is 3.6. The applicant proposal results in a floor area ratio of 2.6.

Building Height: Building height in the R6 District is limited to 6 stories not to exceed 84 feet. The proposed building is 4 stories and 50 feet 2 inches high, with a 3 feet high parapet and almost 8 foot elevator overrun.

Minimum Lot Area: The minimum lot area required of a multi-family building in the R6 District is 400 sq. ft per dwelling unit. With a 20% density bonus for providing all parking underground, the adjusted minimum lot area per dwelling unit is 336 sq. ft. The applicant is proposing 36 dwelling units, or 463 sq. ft. per dwelling unit.

Dwelling Units per Acre: The applicant is proposing a density of 94 dwelling units per acre.

Yard Requirements: The applicant is requesting three yard variances to reduce yard requirements. See variance findings for staff recommendation.

Specific Development Standards: Not Applicable.

Hours of Operation: Not Applicable

Signs: No signs are proposed at this time. Any signs will require a signage permit and must comply with the requirements of Chapter 543.

Refuse storage: All storage of refuse and recyclable materials will be located in trash room in the underground parking level.

Lighting: All lighting must be in compliance with must comply with Chapter 535 and Chapter 541 of the zoning code.

Minneapolis Plan: See finding #1 of the rezoning.

RECOMMENDATIONS:

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the conditional use permit to allow 36 new dwelling units at 1801 and 1805 Park Ave S:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a conditional use permit to allow 36 new dwelling units at 1801 and 1805 Park Ave S, subject to the following condition:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within one year of approval.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance to increase the maximum lot coverage from 70% to 74.1% at 1801 and 1805 Park Ave S:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **deny** the application for a variance to increase the maximum lot coverage from 70% to 74.1% at 1801 and 1805 Park Ave S.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance to reduce the front yard (Park Ave S) from 17.5 feet to 13 feet at 1801 and 1805 Park Ave S:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a variance to reduce the front yard (Park Ave S) from 17.5 feet to 13 feet at 1801 and 1805 Park Ave S.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance to reduce the front yard (18th St E) from 15 feet to 5 feet at 1801 and 1805 Park Ave S:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a variance to reduce the front yard (18th St E) from 15 feet to 0 feet at 1801 and 1805 Park Ave S, subject to the following condition:

1. No more than 50% of the north building wall will be located 0 feet from the property line. At least 50% of the north building wall will be located at least 6 feet from the property line.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance to reduce the east interior side yard from 11 feet to 5 feet 1 inch at 1801 and 1805 Park Ave S:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a variance to reduce the east interior side yard from 11 feet to 5 feet 1 inch at 1801 and 1805 Park Ave S.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the Site Plan Review:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a Site Plan

Review at 1801 and 1805 Park Ave S, subject to the following conditions:

1. CPED Planning staff review and approval of the final site and landscaping plans.
2. All site improvements shall be completed by June 25, 2008, unless extended by the Zoning Administrator, or the permit may be revoked for noncompliance.

Attachments:

1. Statement of use
2. Findings
3. Correspondence
4. PDR comments
5. Site plans, Elevations, Floor plans, and Zoning map
6. .Photos