

Department of Community Planning and Economic Development – Planning Division

Conditional Use Permit for Planned Residential Development
BZZ - 2933

Date: April 24, 2006

Applicant: Powderhorn Residents Group

Addresses Of Property: 914 Emerson Avenue N, 1000 Emerson Avenue N

Project Name: Modifies part of Heritage Park's 1st Ownership Phase

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Planning Staff and Phone: Thomas Leighton, (612) 673-3853

Date Application Deemed Complete: March 30, 2006

End of 60 Day Decision Period: May 29, 2006

Ward: 5 **Neighborhood:** Sumner Glenwood

Existing Zoning: R4

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 13

Lot Areas: 914 Emerson is 11,218 s.f. 1000 Emerson is 10,096 s.f.

Legal Descriptions: 914 Emerson is HERITAGE PARK HOUSING ADDN Block 006 Lot 001.
1000 Emerson is HERITAGE PARK HOUSING ADDN Block 007 Lot 005.

Proposed Use: Modification to Planned Residential Development

Concurrent Review:

- Amend the Conditional Use Permit for a Planned Residential Development

Applicable zoning code provisions: Chapter 525, Article VII, Conditional Use Permits and Chapter 527, Planned Unit Development

Background: The subject parcels are in Heritage Park. They are on the northeast and southeast corners of Emerson and 10th Avenues, and part of a four block planned residential development representing the first phase of ownership housing in Heritage Park. Development applications for this phase of Heritage Park were approved by the City Planning Commission on September 22, 2003 (BZZ-1305). They included a conditional use permit for a planned residential development,

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major site plan review, and a plat. On February 23, 2004, the City Planning Commission approved a modification to this planned residential development (BZZ-1549) that allowed a change to what was being proposed at the subject lots at 914 and 1000 Emerson Avenue North. The intended use of the 914 Emerson double lot changed from two single family homes to a mixed use building with small scale commercial on the ground floor and three units of housing above, and a dwelling unit over the garage. The intended use of the 1000 Emerson double lot changed from two single family homes to three units of live-work housing.

The intent of the subject application is to allow a further change to the development proposed for 914 and 1000 Emerson Avenue North. At 914 Emerson, the building would be essentially the same as that approved in 2004, but two dwelling units would occupy the ground floor as opposed to the commercial businesses. The proposed 914 Emerson building and site plan would be also utilized at 1000 Emerson in place of the 3 dwelling units of live-work housing approved in 2004. The following list represents changes between the 2004 plan and the current proposal.

2004 Plan

914 Emerson: 4 dwelling units—3 in a 2-1/2 story building w/ ground floor commercial, 1 an accessory unit over the garage

1000 Emerson: 3 live-work units in a two story building

Off-street parking in the garage and in surface parking between the building and garage

Current Proposal

914 Emerson: 6 dwelling units—5 in a two story building, 1 an accessory unit over the garage

1000 Emerson: 6 dwelling units configured the same as 914 Emerson

Off-street parking is all within the garage structure

The housing contributes to the mix of affordability levels in the Heritage Park development. Of the 12 proposed units, 2 will be affordable at 60% of Metropolitan Median Income, 2 will be affordable at 80% of Metropolitan Median Income, and the remainder will be affordable at 115% of Metropolitan Median Income.

The density of the proposed development would be allowed in the R4 zoning district even if the property was not part of a planned residential development. The accessory dwelling units would not be allowed if the site were not part of a planned residential development. Section 527.130 states, “More than one principal residential structure may be placed on one platted lot in a planned unit development.”

CONDITIONAL USE PERMIT – Amend the Conditional Use Permit for a Planned Residential Development

The Minneapolis City Planning Department 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, morals, comfort or general welfare.**

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Heritage Park is a redevelopment of a former large public housing complex that suffered from its isolation from the surrounding community. The deterioration of the former complex is also thought to have stemmed from the fact that households of other than low-income were not integrated into the 73 acre residential area. The new development will be providing low-income housing for about 500 households by the time it is completed. It will provide an additional 400 dwelling units for households of moderate and middle incomes. A mixed income community of this kind is expected to hold its economic value and its value as a living environment longer than its predecessor. There are recreational and open space amenities within blocks, as well as in the restructured Bethune and Sumner Parks.

The development of the two lots as proposed is at an appropriate intensity level for the Heritage Park development. It will contribute eyes on the street and activity to the community.

- 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 subject properties are designed and detailed to provide aesthetic value to the community. The exterior materials will be stucco with hardy board trim. It was designed with reference to the Heritage Park pattern book, and is being reviewed by CPED staff for compatibility with this reference and the parts of Heritage Park that have already been constructed.

- 3. Will have adequate utilities, access roads, drainage and necessary facilities.**

The right of way and utility infrastructure is adequate to support the additional dwelling units. Public Works staff were closely involved with the design of the street, utilities and stormwater management systems for Heritage Park overall.

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

The right of way infrastructure is adequate to support the additional dwelling units.

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

Comprehensive plan support for the Heritage Park project in general is well documented in previous reports (BZZ-1305 and BZZ-1549). The subject modification is supported by the city policies that support the Heritage Park development in general, and contributes to the housing objectives that Heritage Park is designed to achieve.

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

The proposed modification is in conformance with city zoning requirements for the R4 zoning district.

In addition to the above findings, the city planning commission is also required to make the following findings before approving a planned residential development. (Section 527.280)

1. That the planned unit development complies with all of the requirements and the intent and purpose of this chapter. In making such determination, the following shall be given primary consideration.

- a) **The character of the uses in the proposed planned unit development, including in the case of a planned residential development the variety of housing types and their relationship to other site elements and to surrounding development.**

Residential dwellings at the proposed density are allowed in the R4 district, and in the “big house” development style are compatible with the surrounding development.

- b) **The traffic generation characteristics of the proposed planned unit development in relation to street capacity, provision of vehicle access, parking and loading areas, pedestrian access and availability of transit alternatives.**

None of the proposed changes significantly impacts traffic and congestion.

- c) **The site amenities of the proposed planned unit development, including the location and functions of open space and the preservation or restoration of the natural environment or historic features.**

None of the proposed changes negatively impact the extensive open space features of Heritage Park. The site plan shows a good amount of pervious surface and landscaped area on the properties. The landscape plan will be reviewed more thoroughly by staff prior to issuance of building permits.

- d) **The appearance and compatibility of individual buildings and parking areas in the proposed planned unit development to other site elements and to surrounding development, including but not limited to building scale and massing, microclimate effects of the development, and protection of views and corridors.**

The scale of proposed new buildings and parking areas is compatible with the surrounding development.

- e) **The relation of the proposed planned unit development to existing and proposed public facilities, including but not limited to provision for stormwater runoff and storage, and temporary and permanent erosion control.**

None of the proposed changes negatively impact the extensive open space features of Heritage Park. The site plan shows a good amount of pervious surface and landscaped area on the properties. The landscape plan will be reviewed more thoroughly by staff prior to issuance of building permits.

2. That the planned unit development complies with all of the applicable requirements contained in Chapter 598, Land Subdivision Regulations.

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The proposed modifications do not affect the compliance of the project's plat with the land subdivision regulations.

RECOMMENDATION:

Recommendation of the Department of Community Planning and Economic Development – Planning Division – for the conditional use permit:

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 amendment of the conditional use permit for the Planned Residential Development to allow the proposed development of 914 and 1000 Emerson Avenue with the following condition.

1. Approval of the final site, elevation and detailed landscaping plans by the Department of Community Planning and Economic Development – Planning Division
2. All site improvements shall be completed by April 24, 2008, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance