

Community Planning and Economic Development Planning Division Report

Conditional Use Permit and Site Plan Review

BZZ - 1928

Date: September 13, 2004

Date Application Deemed Complete: August 11, 2004

End of 60 Day Decision Period: October 10, 2004

Applicant: 2007 Stevens Condominiums by LUPE Development Partners, LLC.

Address Of Property: 2007 Stevens Avenue

Contact Person And Phone: Steve Minn, LUPE Development Partners, LLC, 952-888-2001

Planning Staff And Phone: Lonnie Nichols, 612-673-5468

Ward: 6 **Neighborhood Organization:** Whittier Alliance

Existing Zoning: OR2 (High Density Office Residence District)

Proposed Zoning: No change, not applicable for this application

Zoning Plate Number: 20

Legal Description: Lot 21 and the southerly 18 feet of Lot 22, Block 002 Remington Addition to Mpls

Proposed Use: 5 unit condominium on 8616 sf lot.

Concurrent Review: conditional use permit for 5 unit condominium and major site plan review in historic district.

Appropriate Section(s) of the Zoning Code: Chapter 520 - Introductory Provisions, Chapter 521 - Zoning Districts and Maps, Chapter 525-Article VII-Conditional Use Permits, Chapter 530 - Site Plan Review, Chapter 535 - Regulations of General Applicability, Chapter 536 - Specific Development Standards, Chapter 541 - Off-street Parking and Loading, Chapter 547 - Office Residence Districts, Chapter 551 - Overlay Districts.

Background: LUPE Development Partners, LLC was selected by the Hennepin County Housing and Redevelopment Authority (HCHRA), from a competitive Request for Proposals (RFP) process which included written responses to development objectives and public presentations to a task force composed of public officials, administrative staff, and neighborhood organization representatives, to redevelop the Ramar Building and construct housing at 2007 Stevens Avenue South. Constructed in 1950, the Ramar has been used as an office building, originally by the Minneapolis and St. Louis Railway Company and subsequently by Hennepin County for programming over the past fifty years. The Franklin Lofts

Minneapolis City Planning Division Report
BZZ - 1928

project, to renovate the Ramar building, was approved by the City Planning Commission on December 8, 2003. Final plans have been routed to city staff for approvals and the renovation is underway. The 2007 Stevens lot has been used as an accessory, surface-area parking for the Ramar building for approximately the last fifty years. The subject property is located in the Washburn-Fair Oaks Historic District and categorized as a non-contributing property. The original application for the 2007 Stevens Avenue development was withdrawn due to unresolved issues with the City Heritage Preservation Commission. The current development proposal for the 2007 Stevens Avenue site was approved (with conditions) for a Certificate of Appropriateness by the HPC on June 8, 2004. The City Council member-Ward 6 was notified of the review process and is aware of the proposal under consideration by the commission. The affiliated neighborhood organization, the Whittier Alliance, participated on the task force and is aware of the current proposal under consideration by the commission.

Findings as required by the Minneapolis Zoning Code for: a Conditional Use Permit for a 5 unit condominium located at 2007 Stevens Avenue in the OR2 district:

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 proposed new construction, 5 unit condominium will not be detrimental to or endanger the public health, safety, comfort or general welfare. The proposed development is generally consistent with the high density residential character of other residential uses located within a five block radius of the subject property.

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 proposed new construction, 5 unit condominium 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 proposed development will convert a surface area parking lot to an appropriate density residential development and increase the tax base of the City.

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

Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided. The applicant will remove a section from an existing retaining wall along the alley to allow

access to the required off-street parking. A retaining wall will be constructed to the interior of the site to define the parking and maneuvering area, prevent soil erosion, and direct drainage.

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

Adequate measures have been or will be provided to minimize traffic congestion in the public streets. Five off-street parking stalls are required by the code and five stalls will be provided in the lowest level of the building. An additional five nonconforming off-street parking stalls will be stacked, one in front of each garage door for visitors and/or as a second stall per dwelling unit.

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

The Minneapolis Plan identifies this area of Franklin Avenue as a community corridor. Community Corridors are locations that support new residential development at medium density and increased housing diversity in our neighborhoods. They support limited commercial uses, which are measured against their impacts on residential character, such as the production of fumes or noise or negative aesthetics. Design and development along these streets is oriented towards the pedestrian experience. In addition to consistency with current City housing goals and objectives, the 2007 Stevens Avenue Condominium, which is one property South of Franklin Avenue, is consistent with the following implementation steps for community corridors.

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.

Applicable Implementation Steps

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.

Support the continued presence of small scale retail sales and commercial services along Community Corridors.

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.

The project does not require variances. Provided a site plan is approved for 2007 Stevens Avenue by the City Planning Commission and final plans meet the conditions of the Heritage Preservation Commission, the proposed development will conform to the applicable regulations of the district in which it is located upon approval of this conditional use permit.

Required Findings for Major 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. (See Section B Below for Evaluation.)

C. The site plan is consistent with applicable development plans or development objectives adopted by the city council. (See Section C 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.
- 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.

The applicant is proposing to construct a three-story, five unit condominium building with five below grade parking spaces. The floor area ratio of the building is 0.81 (gross floor area 7022/lot size 8616). A maximum FAR of 2.5 is allowed in the OR2 district. The proposed construction utilizes many of the Queen Anne details of the two neighboring single-family residences including lap siding, dormers, and double-hung windows. The placement of the building respects the front yard district setback of 15 feet and that setback established by the adjacent residential properties to the North and South, promotes natural surveillance and visibility, and facilitates pedestrian access and circulation. The area between the building and the lot lines includes amenities. The proposed building will have horizontal cement siding (Hardiplank) with a 4" exposure and a green color. The windows will be single hung and the applicant is proposing wood or aluminum. The main entrance door is a metal door with 20 glass panels and a sidelight system. The front door faces Stevens Avenue. The applicant has indicated a minimum

Minneapolis City Planning Division Report
BZZ - 1928

of 25% of the first floor façade will contain windows or doors with glass. The foundation is a rock faced concrete block with a brick and Arriscraft (cast concrete) section at the front of the building. The applicant's plans indicate the height of the building will be 35 feet, with no portion of the building exceeding the 56 feet height allowed in the OR2 district. A two-story porch will be attached to the rear above the below grade garage. The porches are proposed with aluminum railings and "wood clad French doors" to the patios. The tuckunder garage will have five paneled "hardboard" doors; windows are not proposed in the garage doors as indicated in the drawings. Materials along the retaining walls to the garage will be "modular block retaining wall and cast in place concrete." The roof will be 3-tab fiberglass asphalt shingles with a 5" exposure. During Preliminary Plan Review, the Fire department indicated the building will need to be sprinkled and have emergency egress windows. The Heritage Preservation Commission approval for a Certificate of Appropriateness included the condition that final plans must be submitted to HPC staff for final approvals.

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 snow storage shall be provided unless an acceptable snow removal plan is provided.**
- **Site plans shall minimize the use of impervious surfaces.**

A 5 foot wide and well-lighted walkway and stairs connect the front door building entrance to the public sidewalk along Stevens Avenue. The parking facilities are connected to the building through overhead garage doors and an interior stairway. As per chapter 1341, Table 16.2 of the Minnesota Accessibility Code, the building is not required to provide HC Accessibility. There is not a transit shelter in front of the building, but there is bus service at the corner of Franklin and Stevens Avenues. Vehicular access and circulation is designed to minimize conflicts with pedestrian traffic and surrounding residential uses through the creation of a driveway in an existing retaining wall along the alley. During Preliminary Plan Review, Public Works staff indicated that the curves in the retaining wall near the alley should be smoothed-out and deepened to make them more accommodating to vehicles. Public Works also requested the provision of good sightlines for the rear along the alley. Given that the exterior parking and maneuvering area will be located to the interior rear of the site, below grade, and surrounded by a retaining wall, traffic is directed to minimize impact upon residential properties. The subject site is currently a 28 stall, asphalt surface parking lot. The applicant is reducing the amount of impervious surface on the lot and the proposed plan meets district standards. Five off-street parking stalls are required by the code, and five enclosed, tuck-under stalls are provided in the lowest level of the building. An additional five nonconforming off-street parking stalls, one stacked behind each overhead garage door, are provided as visitor parking and/or a second parking stall per unit.

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.
- 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.

The composition and location of landscaped areas compliments the scale of the development and its surroundings. As per the applicant's submission, the lot size is 8616 sf and the building footprint is 2700 sf. Section 530.150 of the zoning code requires that not less than twenty (20) percent of the site not occupied by buildings shall be landscaped. Calculations: $(8616 - 2700 = 5916 \times 20\% = 1183 \text{ sf})$. The site plan shows the applicant is providing 3410 sf of landscaping $(3410/5916 = .5764)$ or approximately 58% of the site not occupied by the building footprint. Section 530.150 of the code also requires for the 20% of the site not occupied by buildings, not less than one (1) canopy tree for each one thousand (1000) sf and not less than one (1) shrub per each two-hundred (200) sf of the site not occupied by buildings. In order to be in full compliance, the required plant count for this site is six (6) trees and thirty (30) shrubs. The applicants will retain and maintain some of the existing landscaping around the perimeter of the site, as well as add landscaping to the site to meet the plant count requirement. The total count for new plants at the site is 5 trees and 41 shrubs. The applicants have also proposed 89 perennials at the site. The proposed plan provides approximately 40% landscaping $(3410/8616 = .3957)$ on the site. This conforms to the maximum impervious surface coverage of 85%

Minneapolis City Planning Division Report
BZZ - 1928

for a zoning lot in the OR districts as required by section 547.150 of the code. The applicant has verbally indicated snow will be removed from the site. The exterior parking and maneuvering area will be located to the interior rear of the site, below grade, surrounded by a retaining wall, and defined by a six (6) inch by six (6) inch continuous concrete curb. There will be four foot tall wrought iron type (aluminum) fencing placed along the top of the retaining wall for aesthetic and safety reasons. The retaining wall defining the exterior parking area is approximately four to six feet in height from West to East (the alley). During Preliminary Plan Review, Public Works staff commented that encroachment permits would be required for landscaping and other materials that physically affect the public right of way (in this case, the interior boulevard) and the Park Board commented that tree protection, during site preparation and construction, would be needed for the existing boulevard trees.

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.**
- **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.**

Lighting shall comply with the requirements of Chapter 535 and Chapter 541. The applicant has indicated pedestrian level lighting is proposed in the surface parking lot and the rear of the new building, the front of the building will have traditional entry lighting, and all fixtures will be hooded and directed downward away from residential windows. The exterior parking and maneuvering area will be located to the interior rear of the site, below grade, surrounded by a retaining wall that is approximately four to six feet in height from West to East (the alley). This grade change will avoid headlights shining onto residential properties. The proposed site plan conforms to the standards of the OR2 district and does not block views of important elements of the city, generate wind currents at ground level, or shadow public spaces. The City's crime prevention through environmental design (CPTED) specialist has reviewed the plan and recommends that all vegetation should follow the 3 foot - 7 foot rule, which states that screening should not exceed three feet in height and that the canopies of trees should be over seven feet in height allowing a window of visibility into the site. The subject property is located in the Washburn-Fair Oaks Historic District and categorized as a non-contributing property. The Heritage Preservation Commission approval for a Certificate of Appropriateness included the condition that final plans must be submitted to HPC staff for final approvals.

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

ZONING CODE:

Specific Development Standards:

Minneapolis City Planning Division Report
BZZ - 1928

There are no Specific Development Standards listed in Chapter 536 of the code for multiple family dwellings of five or more units.

Hours of Operation:

Hours of operation allowed under the OR2 zoning are 7:00 a.m. to 10:00 p.m. Sunday through Thursday and 7:00 a.m. to 11:00 p.m. Friday and Saturday.

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.

The applicant has indicated recycling collection and bulk rubbish containers will be provided by City Services in 90 gallon wheeled carts that are accessed from the alley at the rear of the site. The garbage carts and recycling containers will need to be kept in the lower level storage area of the building until collection day unless an exterior space for them which does not interfere with vehicular movement can be identified on the final site plan.

Window obstructions:

543.350. Window signs. Window signs shall be allowed, provided that such signage shall not exceed thirty (30) percent of the window area, whether attached to the window or not, and shall not block views into and out of the building at eye level. Window signs shall be included in the calculation of the total permitted building sign area, except as provided for temporary signs in section 543.330.

Signage:

Signage is subject to Sections 531 and 543 of the Zoning Code. All new signage is required to meet the applicable requirements of the code.

MINNEAPOLIS PLAN:

See finding #5 in the conditional use permit section of this report. The proposed development is in conformance with the Minneapolis Plan.

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

The subject property is located in the Washburn-Fair Oaks Historic District, categorized as a non-contributing property, and has been approved (with conditions) for a Certificate of Appropriateness by the Heritage Preservation Commission on June 8, 2004. Staff is not aware of any other applicable development plans or objectives adopted by the City Council pertinent to this application.

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.

Alternative compliance is not needed for this application.

RECOMMENDATIONS OF THE COMMUNITY PLANNING AND ECONOMIC DEVELOPMENT PLANNING DIVISION:

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

Minneapolis City Planning Division Report
BZZ - 1928

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the conditional use permit for a 5 unit condominium located at 2007 Stevens Avenue in the OR2 district.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the site plan review:

The Community Planning and Economic Development Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the site plan review application for a 5 unit condominium located at 2007 Stevens Avenue in the OR2 district; subject to the following conditions:

- 1) Approval of a conditional use permit for a 5 unit condominium located at 2007 Stevens Avenue in the OR2 district.
- 2) The Community Planning and Economic Development Planning Division shall review and approve the final site and landscaping plans. Approval of encroachment permits by the Public Works Department is required for landscaping and other materials that physically affect the public right of way.
- 3) The final site plan shall show a minimum of 9 foot side yard setbacks and a 15 foot front yard setback, a minimum of 30 shrubs and 6 trees, and include spot elevations and more details on grading and drainage.
- 4) The final site plan shall indicate the snow storage/removal plan, designate a refuse container storage location, indicate the building will be sprinkled to meet fire code, and show the location of egress windows to meet fire code.
- 5) The applicant shall provide a performance bond in an amount equal to 125% of the cost of site improvements or the permit may be revoked for noncompliance.
- 6) All site improvements shall be completed by September 30, 2005, unless extended by the Zoning Administrator, or the permit may be revoked for noncompliance.
- 7) The final site plan shall conform to the HPC conditions of approval of June 8, 2004 listed below:

Staff recommends that the HPC adopt staff findings and **approve** the Certificate of Appropriateness with the following conditions:

1. Applicant must submit material samples with chosen colors for brick, concrete block, Arriscraft and Hardiplank. Staff must approve final materials and colors for the project. Materials samples must remain in CPED-Planning Division offices for the remainder of the project.

Minneapolis City Planning Division Report
BZZ - 1928

2. Staff must approve final window, door and garage door specifications for the building.
3. Staff must approve signage for the building.
4. Sliding glass patio doors are not approved.
5. Final plans must be submitted to staff for final approvals. Major alterations to the plans will return to the HPC for review and approval.

HPC RECOMMENDATION:

HPC **adopted** staff findings and **approved** the C of A with staff conditions at the public hearing of June 8, 2004.

Attachments:

Staff Report

Executive Summary of project

Zoning Map

Consolidated Land Use Application with Exhibits

Exhibit A - Written Statements from Applicant, Report Findings, and Land Use Application

Exhibit B – Mailing list

Exhibit C – Survey, Site and Building Plans, Elevations

Exhibit D – Photographs

Exhibit E – HPC Condition of Approval

Exhibit F - Written Correspondence from other interested parties