

**Department of Community Planning and Economic Development – Planning Division**  
Conditional Use Permit  
BZZ – 4398

**Date:** June 8, 2009

**Applicant:** American Indian Community Development Corporation (AICDC)

**Address of Property:** 1500-1510 East Franklin Avenue and 1909-1913 15<sup>th</sup> Avenue South

**Project Name:** Many Rivers East Apartments

**Contact Person and Phone:** Tom McElveen, (612) 813-1610

**Planning Staff and Phone:** Janelle Widmeier, (612) 673-3156

**Date Application Deemed Complete:** May 5, 2009

**End of 60-Day Decision Period:** July 4, 2009

**Ward:** 6      **Neighborhood Organization:** Ventura Village

**Existing Zoning:** OR2 High Density Office Residence District, PO Pedestrian Oriented Overlay District and NP North Phillips Overlay District

**Proposed Zoning:** Not applicable for this application.

**Zoning Plate Number:** 21

**Legal Description:** Not applicable for this application.

**Proposed Use:** Multi-family dwelling with 53 dwelling units.

**Concurrent Review:** Amendment of a conditional use permit to increase the number of dwelling units from 50 to 53.

**Applicable zoning code provisions:** Chapter 525, Article VII Conditional Use Permits.

**Background:** AICDC proposes to add three units in an existing multiple-family residence located at the properties of 1500-1510 East Franklin Avenue and 1909-1913 15<sup>th</sup> Avenue South. In 2001, the Planning Commission approved a multiple-family dwelling with 49 units for these properties. The approvals included a rezoning, a conditional use permit for a multiple-family dwelling, a parking variance, a yard variance, a site plan review and an alley vacation. In 2002, the Commission approved a conditional use permit amendment to allow 50 dwelling units and added another surface parking space. The additional three units proposed at this time would be located in existing community room space on the second through fourth floors. No exterior changes are proposed.

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A multiple-family dwelling is allowed as a conditional use in the OR2 District. Adding dwelling units requires an amendment of the conditional use permit. Upon approval of a conditional use permit, the action must be recorded with Hennepin County as required by state law.

As of writing this staff report, staff has not received any correspondence from the neighborhood group. Staff will forward comments, if any are received, at the City Planning Commission meeting.

**CONDITIONAL USE PERMIT:** Amendment of a conditional use permit to increase the number of dwelling units from 50 to 53.

**Findings as required by the Minneapolis Zoning Code:**

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 establishment of three additional dwelling units on the site would not prove detrimental to public health, safety, comfort or general welfare provided the development complies with all applicable building codes and life safety ordinances.

- 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.**

In the immediate area, there is a mix of nonresidential uses with residential fronting Franklin Avenue. Off of Franklin Avenue, the primary uses are residential. The proposed units would occupy existing floor area. They should have little effect on surrounding properties.

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

The site is served by existing infrastructure. Vehicle access is from 15<sup>th</sup> Avenue. Public Works reviewed and approved plans when the project was originally constructed. No changes are proposed that affect the site plan.

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

In the below-grade parking garage, 45 spaces exist. The parking requirement for 53 dwelling units on this site is 43 spaces because the site is located in the Franklin Avenue LRT Station PO Overlay District and qualifies for a transit incentive because it is located within 300 feet of a transit stop with midday service headways of 30 minutes or less in each direction, both of which allow for a 10 percent reduction of the standard minimum parking requirement of one space per

dwelling unit. Multiple-family dwellings of 5 units or more are required to provide one bicycle parking space for every two dwelling units. Because the use was established before this provision went into effect, only the new units must meet this requirement. At least two long term bicycle spaces are required to allow the new units. Long term bicycle parking is defined as spaces located in enclosed and secured or supervised areas providing protection from theft, vandalism and weather and must be accessible to intended users, but cannot be located within dwelling units or within deck or patio areas accessory to dwelling units. The two required spaces can be accommodated in the below-grade parking. The applicant is encouraged to provide additional secure parking that meets or exceeds the minimum bicycle parking requirements for the residents and commercial tenant existing on site.

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

The site is adjacent to Franklin Avenue East, which is designated as a commercial corridor by *The Minneapolis Plan*. It is also located in the designated Franklin Avenue Transit Station Area. In the update of the comprehensive plan, *The Minneapolis Plan for Sustainable Growth*, Franklin Avenue remains designated as a commercial corridor, but the boundary of the TSA is located on the west side of the subject site. According to the principles and policies outlined in the plan, the following apply to this proposal:

**4.3 Minneapolis will support development in Commercial Corridors where it enhances the street's character, improves its ability to accommodate automobile traffic and foster pedestrian movement, and expands the range of goods and services offered.**

**Applicable Implementation Step**

Support a mix of uses on Commercial Corridors--such as retail sales, office, institutional, higher density residential (including Major Housing Sites where designated), and clean low-impact light industrial--where compatible with the existing and desired character of the street.

**4.18 Minneapolis will encourage both a density and mix of land uses in TSAs that both support ridership for transit as well as benefit from its users.**

**Implementation Steps**

Concentrate highest densities and mixed-use development nearest the transit station and/or along Commercial Corridors, Community Corridors and/or streets served by local bus transit.

Support the development of new housing types in the TSA, including townhomes, mansion apartments, garden apartments, granny flats/carriage houses, and multi-family residential buildings.

**4.9 Minneapolis will grow by increasing its supply of housing.**

**Applicable Implementation Step**

Support the development of new medium- and high-density housing in appropriate locations throughout the City.

**4.11 Minneapolis will improve the availability of housing options for its residents.**

**Applicable Implementation Steps**

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Increase the variety of housing styles and affordability levels available to prospective buyers and renters.

Promote the development of housing suitable for people and households in all life stages, and that can be adapted to accommodate changing housing needs over time.

*Staff comment:* The proposed increase in density would be consistent with the comprehensive plan.

**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.**

Several shrubs on the site have died. These shrubs are required from the previous site plan approval and must be replaced as shown on the approved landscape plan from 2002. With the approval of the conditional use permit and the recommended conditions, the use will comply with the applicable district regulations.

**RECOMMENDATIONS**

**Recommendation of the Community Planning and Economic Development Department – Planning Division for the Conditional Use Permit:**

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for an amendment of a conditional use permit to increase the number of dwelling units from 50 to 53 for the properties located at 1500-1510 East Franklin Avenue and 1909-1913 15<sup>th</sup> Avenue South, subject to the following conditions:

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.
2. At least two long term bicycle spaces shall be provided as required by section 541.180 of the zoning code. The applicant is encouraged to provide additional secure parking that meets or exceeds the minimum bicycle parking requirements for the residents and commercial tenant existing on site.
3. Landscaping shall be installed and maintained as required by section 530.210 of the zoning code and in compliance with previously approved plans.
4. All site improvements shall be completed by June 8, 2010, unless extended by the Zoning Administrator, or the permit may be revoked for noncompliance.

**Attachments:**

1. Statement of use
2. Applicant Findings
3. Zoning map
4. Plans
5. Photos