

**Department of Community Planning and Economic Development – Planning Division**  
Zoning Amendment (Rezoning), Conditional Use Permit, Variances, Site Plan Review, Preliminary Plat  
BZZ-3283, PL-207

**Date:** November 27, 2006

**Applicant:** Lyn-Lake Development Partners, LLC

**Address of Property:** 2936, 2932, 2928, 2924, and a small portion of 2900 Aldrich Ave S

**Project Name:** Aldrich Apartments – South Building

**Contact Person and Phone:** Gretchen Camp, (612) 373-9122

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

**Date Application Deemed Complete:** October 13, 2006

**End of 60-Day Decision Period:** December 12, 2006

**End of 120-Day Decision Period:** The applicant was sent a letter on October 18, 2006 extending the decision period to February 10, 2007.

**Ward:** 10      **Neighborhood Organization:** Lowry Hill East Neighborhood Association, adjacent to Calhoun Area Residents Action Group

**Existing Zoning:** C1 Neighborhood Commercial District with a Pedestrian Oriented Overlay District and I1 Light Industrial District

**Proposed Zoning:** C3A Community Activity Center District with a Pedestrian Oriented Overlay District.

**Zoning Plate Number:** 24

**Legal Description of Property Proposed for Rezoning:** The land referred to is situated in the State of Minnesota, County of Hennepin, and is described as follows:

2900 Aldrich Ave S

[The southern-most 30 feet of] Lot 6, Block 18, Windom's Addition to Minneapolis

2924 Aldrich Ave S

Lot 1, Block 31, Windom's Addition to Minneapolis

2928 Aldrich Ave S

Lot 2, Block 31, Windom's Addition to Minneapolis

2932 Aldrich Ave S

Lot 3, Block 31, Windom's Addition to Minneapolis

2936 Aldrich Ave S

Lots 4, 5, and 6, Block 31, Windom's Addition to Minneapolis

**Lot area:** 39,052 square feet

**Proposed Use:** A mixed use building with approximately 16,000 square feet of retail and 146 new dwelling units.

**Concurrent Review:**

- Rezone 2936, 2932, 2928, and 2924 Aldrich from C2 to C3A and extend the Pedestrian Oriented Overlay District currently at 2936 Aldrich to the entire site.
- Rezone a small portion of 2900 Aldrich Ave S from I1 to C3A and extend the Pedestrian Oriented Overlay District.
- A Conditional Use Permit to allow 146 new dwelling units.
- A Conditional Use Permit to increase permitted height in the C3A district from 4 to 6 stories.
- A Variance to reduce the Minimum Lot Area from 289 sq. ft. per dwelling unit (with density bonuses) to 267.5 sq. ft. per dwelling unit, a 7% reduction.
- A Variance to increase the maximum width of a driveway in the Pedestrian Oriented Overlay District from 20 to 24 feet of street frontage.
- A Variance to decrease the minimum west interior side yard along the public alley from 15 to 1 foot.
- Site Plan Review
- Preliminary Plat combining 2936, 2932, 2928, 2924 and a small portion of 2900 Aldrich Ave S

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

**Background:** The applicant, Lyn Lake Development Partners, LLC, is proposing a new mixed use building at 2924, 2928, 2932, 2936 Aldrich Ave S and a small portion of 2900 Aldrich Ave S. This proposal is in conjunction with another project immediately north that would be multi-family residential and would share underground parking.

Currently on the site is an abandoned gas station (facing W Lake St), and three residential buildings (one single family home, a duplex, and a four-unit building). The applicant is proposing to demolish these buildings to allow the construction of a 6-story mixed-use building above underground parking. The site faces W Lake St to the south and Aldrich Ave S to the east.

Public Works has required a discretionary Travel Demand Management Plan for the site. A draft of that plan has been provided to planning staff and is attached to this report. The applicant is proposing a single curb cut off Aldrich that would lead to commercial parking and secured access to residential parking for both this building and the building to the north.

The proposed development includes multiple courtyards and balconies throughout both buildings, including a shared courtyard between the buildings at ground level and ground level and 2<sup>nd</sup> floor level courtyards just for the South Building. The fifth floor units offer lofts that create the 6<sup>th</sup> story on the building's elevation. The sixth story does not cover the entire footprint of the building, but is set back from W Lake St and the courtyard that separates the North and South Buildings.

At the time of the writing of this report staff has received one letter, from the Midtown Greenway Coalition. The applicant has indicated that they have met with the neighborhood and the Midtown Greenway Coalition prior to submitting applications.

## **ZONING AMENDMENT -**

### **Required Findings for a zoning amendment:**

#### **1. Whether the amendment is consistent with the applicable policies of the comprehensive plan.**

Aldrich Ave S is not a designated corridor, but W Lake St is a commercial corridor. Furthermore, the intersection of W Lake St and Lyndale Ave S is an Activity Center and the Midtown Greenway corridor, which is a half block from the site, is a major housing site. The following policies in *The Minneapolis Plan* apply:

Activity Centers are places with high levels of residential, employment, and commercial activity. Chapter 4.7 of *The Minneapolis Plan* states: "Minneapolis will identify and support Activity Centers by preserving the mix and intensity of land uses and enhancing the design features of each area that give it a unique and urban character." One of the implementation steps for this policy is to "develop parking facilities and management strategies that accommodate high customer demand, promote shared facilities and minimize visual impact and adverse effects on pedestrian and sidewalk traffic." This project would share parking with the North Building, and provides separate parking for the commercial and residential uses on the site. Designing the buildings to share parking facilities and one entrance minimizes pedestrian impact.

Another implementation step of section 4.7 of *The Minneapolis Plan* is to "require that buildings in Activity Center districts incorporate a pedestrian orientation at the street edge." All portions of the building facing W Lake St and Aldrich Ave S are within 8 feet of the property line. The commercial portion of the building utilizes storefront windows and a covered walkway to enhance the pedestrian experience.

Chapter 4.9 of *The Minneapolis Plan* states: "Minneapolis will grow by increasing its supply of housing. One of the implementation steps for this policy is to "support the development of new medium- and high-density housing in appropriate locations throughout the City." While this project is not directly on the Greenway, it is a part of a larger project that does face the Greenway.

Chapter 4.17 of *The Minneapolis Plan* states: “Minneapolis will promote housing development that supports a variety of housing types at designated Major Housing Sites throughout the city.” One implementation step for this policy is to “concentrate new housing developments in close proximity to amenities or in locations where value will be sustained over time.” The site is within the Lyn-Lake Activity Center and close to multiple amenities, such as retail, transit, the Greenway, and employment. Another implementation plan for chapter 4.17 is to “develop a citywide Housing Strategy for placing medium (10-30 units per acre) to high-density (30+units per acre) new housing on major transportation and transit corridors and near commercial revitalization projects or neighborhood amenities (e.g. sites such as Growth Centers, Major Housing Sites, Commercial Corridors)”. At 163 dwelling units per acre, the proposed project is considered high density and is adjacent to multiple amenities.

Finally, this project is in or near the study area of two major Small Area Plans. The Midtown Greenway Land Use and Development Plan is currently under public review and includes the site; the Uptown Small Area Plan is a current planning project that ends just west of the site at Bryant Ave S. A Small Area Plan for the Lyn-Lake area is planned for the future.

**2. Whether the amendment is in the public interest and is not solely for the interest of a single property owner.**

The rezoning is in the interest of the public as it will allow for more density on a site where city policies support it. Extending the PO district will continue to protect the area from auto-oriented uses that can negatively affect urban neighborhoods where pedestrian use is important.

**3. Whether the existing uses of property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification, where the amendment is to change the zoning classification of particular property.**

C3A zoning, adjacent to other C3A zoning and as a part of an activity center and on a commercial corridor, is appropriate. The site is also partially adjacent to C4 zoning, the proposed R6 zoning for the North Building, and C2 zoning to the west.

**4. Whether there are reasonable uses of the property in question permitted under the existing zoning classification, where the amendment is to change the zoning classification of particular property.**

The existing zoning classification allows commercial uses, residential uses, and office uses, but at a lower density than allowed by C3A. The existing PO district protects the portion of the site that faces W Lake St from auto-oriented uses but the three parcels north of that parcel are currently zoned C2 without a PO district.

**5. Whether there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its present zoning classification, where the amendment is to change the zoning classification of particular property.**

Development pressure in the general area has been high. New high-density apartments of a similar scale have recently gone up in the area. The character of the area as a high-activity area with many different types of amenities has remained stable for some time. The challenge faced by the area as it grows is to keep it a viable option for residential and commercial activities for a wide variety of people.

### **CONDITIONAL USE PERMIT -**

#### **Required Findings for the Conditional Use Permit to allow 146 new dwelling units at 2936, 2932, 2928, 2924 and a small portion of 2900 Aldrich Ave S:**

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

There is no evidence that creating 146 new dwelling units will adversely affect the public health, safety, comfort or general welfare. Both uses will increase the human activity on the site, and the area is capable of handling additional density. Storefronts, windows, porches, and balconies façade will increase visibility from the site to the surrounding area significantly from existing conditions.

- 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 development should not have a negative impact on other property in the vicinity, which includes industrial uses, surface parking lots, and commercial space.

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

Access to the underground parking is off Aldrich Ave S, where commercial parking is immediately available and residential parking is provided beyond a secured door. The curb cut also provides access to the underground parking for the North Building. Drainage is being mitigated with a stormwater management plan. The project underwent Preliminary Development Review (PDR) on November 1, 2006, and the applicant is working with Public Works toward PDR approval.

This project is extremely high density. The applicant is requested 11 more units than permitted in the C3A district even after using two 20% density bonuses. The additional units will increase the utilities and other facilities needed for the site. Staff is recommending approving the CUP for only the amount of units that would be permitted using the density bonuses.

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

All required parking is provided underground. The proposed curb cut is located in an appropriate location that can sustain projected amounts of traffic.

The same concerns about the additional units being requested apply here – the project is already very high density and each additional unit increases the traffic needs of the site. For comparison, recent projects in the Uptown and Lyn-Lake areas with C3A zoning include the Mozaic, which has 763 sq. ft. per dwelling unit, Lumen on Lagoon, which has 399 sq. ft. per dwelling unit, and the adjacent Uptown City Apartments has 396 sq. ft. per dwelling unit. The South Building is proposed at 267.5 sq. ft. per dwelling unit; much denser than comparable projects in the area.

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

See finding #1 of the Zoning Amendment.

**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 a Zoning Amendment to change from C2, C2 with PO, and I1 to C3A with PO zoning, the applicant is requesting a conditional use permit for new dwelling units, a conditional use permit for an increase in height, a curb cut width variance, a yard variance, a site plan review, and a minimum lot area variance. With two 20% density bonuses for providing all parking underground and providing mixed uses, the project is allowed 289 sq. ft. of lot area per dwelling units, or 135 units. The applicant is requesting 146 units. As explained in the variance findings below, staff is not recommending approval of the minimum lot area variance. Therefore, staff recommends approving the conditional use permit for up to 135 new dwelling units, which meets the minimum lot area requirement.

**CONDITIONAL USE PERMIT -**

**Required Findings for the Conditional Use Permit to increase the permitted height to 6 stories at 2936, 2932, 2928, 2924 and a small portion of 2900 Aldrich Ave S:**

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

The building's total height would be equal to that of the North Building: 68 ft. The increase in height should not endanger the public.

**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 mixed use building across Aldrich from the project site is 6 stories tall, buildings along W Lake St in the area vary widely in height. The proposed height would have the most impact on proposed North Building, as this building is directly south of it. The rear of sites across the public alley will see an increase in shadowing, but not significantly more than would be created

by a 4 story building, which is permitted by right. Surrounding properties should not be adversely affected and orderly development and improvements should not be impeded.

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

Access to the underground parking is off Aldrich Ave S, where commercial parking is immediately available and residential parking is provided beyond a secured door. The curb cut also provides access to the underground parking for the North Building. Drainage is being mitigated with a stormwater management plan. The project underwent Preliminary Development Review (PDR) on November 1, 2006, and the applicant is working with Public Works toward PDR approval.

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

All required parking is provided underground and accessed from a single curb cut off Aldrich Ave S. The proposed curb cut is located in an appropriate location that can sustain projected amounts of traffic. As recommended by the Travel Demand Management Plan (TDMP), transit incentives are proposed for residents and patrons of the development to further mitigate projected increases in traffic.

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

See finding #1 of the Zoning Amendment.

**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 a Zoning Amendment to change from C2, C2 with PO, and I1 to C3A with PO zoning, the applicant is requesting a conditional use permit for new dwelling units, a conditional use permit for an increase in height, a curb cut width variance, a yard variance, a site plan review, and a minimum lot area variance.

**In addition to the conditional use standards, the city planning commission shall consider, but not be limited to, the following factors when determining the maximum height:**

**(1) Access to light and air of surrounding properties.**

As mentioned before, the building to the east and the proposed building to the north are similar in height to the proposed building. Properties to the west will be shadowed somewhat by the new building, but only in the rear of those sites and only slightly more than if the building were within the 4 stories permitted by right.

**(2) Shadowing of residential properties or significant public spaces.**

No significant public spaces would be shadowed by the proposed building. The buildings across the public alley that contain residential uses would experience some shadowing in the rear of the building and in the early part of the day. The sixth floor of the building is set back from all sides of the building footprint, so its impact on shadowing will be minimal.

**(3) The scale and character of surrounding uses.**

As mentioned before, the proposed height is about the same as the apartment building to the east and the proposed building to the north. Other buildings in the area range from one to 6 stories. Increasing height and density of buildings has been occurring in the area because of its land use designations and the popularity of the area.

**(4) Preservation of views of landmark buildings, significant open spaces or water bodies.**

No significant views should be compromised by the proposed height of the new building.

**VARIANCES -**

**Findings Required by the Minneapolis Zoning Code for the Variance to reduce the minimum lot area from 289 sq. ft. per dwelling unit (with a density bonus) to 267.5 sq. ft. per dwelling unit, a 7% reduction.**

**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.**

Taking advantage of two 20% density bonuses for providing all required parking underground and having a mixed use building, the applicant can create up to 135 new dwelling units without varying the minimum lot area. The applicant is proposing 146 new dwelling units. The zoning code is reasonable in that it allows very high residential density in the C3A district, particularly when considering applicable bonuses. Therefore, 135 new dwelling units is a reasonable use and there is no hardship created by reducing the new number of units by 7%.

**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.**

Staff has found no unique circumstance that justifies two units beyond what is permitted. The applicant has indicated that market trends are dictating the need for smaller units, which is why the proposed building meets the required Floor Area Ratio but still needs a variance for the number of units proposed. Market trends are essentially an economic consideration and do not substantiate the need for additional units.

**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 a site is not overburdened with too many dwelling units. Smaller units in the same size building leads to more units, which requires more demand for parking, utilities, and amenities. The minimal size of the reduction request indicates that such an increase in demand would also be minimal; however, density allowed in C3A districts, including two 20% density bonuses, is already quite high.

- 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 slightly increase congestion because of the additional residents in the building; but no fire or safety issues are apparent as a result of the additional units.

**Findings Required by the Minneapolis Zoning Code for the Variance to increase the maximum width of a driveway in the Pedestrian Oriented Overlay District from 20 to 24 feet of street frontage.**

- 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.**

A two way entrance/exit to and from 276 spaces of underground parking would be unreasonably small if limited to 20 feet. The parking served by the curb cut is for both commercial and residential use, and allowing a variance to increase the width eliminates the need for additional curb cuts on the site which would have a more detrimental impact on pedestrian access to 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 site's designation as a Pedestrian Overlay district (PO). A relatively small percentage of property in Minneapolis is within a PO.

- 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 protect sites from becoming auto-oriented and discouraging pedestrian access. The increased curb cut width allows all parking to be located underground, away from the pedestrian realm, and reduces the need for a second curb cut that would further impact safety and access for pedestrians.

- 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.**

If the site were not within a PO, a curb cut width up to 25 feet would be permitted. A 24 feet wide curb cut on the site will reduce congestion of the public street, allowing vehicles to enter and exit the parking ramp off Aldrich more easily. The curb cut width is not excessive for pedestrians to cross and will not increase the danger of fire.

**Findings Required by the Minneapolis Zoning Code for the Variance to reduce the minimum interior side yard along the public alley from 15 to 1 foot.**

- 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 has designed the building with two interior courtyards so that all units will have access to light and air from either a courtyard or facing street frontage. One courtyard is set back more than 50 feet from the alley, and the units that wrap around the courtyard extend into the rear yard. Other buildings in the area, both residential and otherwise, are built up to the alley as the Lyn-Lake area is urban in nature.

- 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 decision to create a courtyard is the applicants, but it provides an amenity that is important to high density residential development. The design of the building is such that units along the alley will have access to light and air via interior courtyards.

- 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 provide a setback for residential buildings with windows facing an interior side or rear yard where a building could be built along the property line on an adjacent parcel. For the portion of the building that is along the alley but not a residential use the setback does not apply. The alley adjacent to the property line is 12 feet wide; enough to provide necessary distance between the proposed building and an existing building across the alley that is also built up to the alley.

- 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. The required distance for fire safety would be preserved even if the alley were vacated, as half the alley would accrue to the proposed development.

## **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 applicant is redeveloping the entire west side of this block of Aldrich Ave S. The two new buildings proposed will create a more or less consistent street wall with private patios off first floor walk up units along most of Aldrich Ave S that will increase visibility and surveillance on the site. The south end of Aldrich and W Lake street provide storefront windows for increased visibility to commercial uses.
- The building is on a corner lot. The building is essentially on the lot line facing W Lake St. The plans show a covered walkway on the south end of Aldrich Ave S that puts the first floor more than 8 feet from the front lot line, but the applicant has indicated that they will decrease that distance to at least 8 feet on final plans.
- Amenities between the building and the lot line include landscaping and patios, as well as a covered walkway along the storefronts facing Aldrich Ave S.
- Two principal entrances to the commercial spaces are provided off W Lake St. A residential lobby entrance and individual entrances to walk up units are provided off Aldrich Ave S.
- All parking is proposed to be located in a two level underground structure.
- The building uses recesses and projections, as well as windows and materials, to make the building understandable in smaller sections.
- Blank wall conditions are shown in two locations on the first floor of the west elevation, which faces the alley. Staff recommends as a condition of approval that the applicant use windows and/or architectural details or materials to bring those conditions in compliance.

- Materials include metal, cement fiber board panel with stucco finish, and brick. The materials are used similarly on each elevation.
- Windows are required on 40% of the first floor that has commercial uses, 30% of the first floor that has residential uses, and 10% of each floor above the first floor for two sides of the building because they face a public street and are in a PO. The proposed windows provided are as follows:
  - Aldrich Ave S (East) Elevation
    - 1<sup>st</sup> floor facing a public street (commercial): 40% required, 50% provided
    - 1<sup>st</sup> floor facing a public street (residential): 30% required, 49% provided
    - 2<sup>nd</sup> floor facing a public street: 10% required, 28% provided
    - 3<sup>rd</sup> floor facing a public street: 10% required, 40% provided
    - 4<sup>th</sup> floor facing a public street: 10% required, 40% provided
    - 5<sup>th</sup> floor facing a public street: 10% required, 40% provided
    - 6<sup>th</sup> floor facing a public street: 10% required, 31% provided
  - W Lake St (South) Elevation
    - 1<sup>st</sup> floor facing a public street (commercial): 40% required, 59% provided
    - 2<sup>nd</sup> floor facing a public street: 10% required, 39% provided
    - 3<sup>rd</sup> floor facing a public street: 10% required, 39% provided
    - 4<sup>th</sup> floor facing a public street: 10% required, 39% provided
    - 5<sup>th</sup> floor facing a public street: 10% required, 55% provided
- Proposed windows are generally vertical in nature and distributed more or less in an even manner.
- 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 for access to underground parking on this site is off Aldrich Ave S.
- All areas not needed for buildings, access, loading, or trash and recycling, will be landscaped or paved as a part of proposed courtyards.

**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 (39,052 sq. ft.) less the building footprint (30,660 sq. ft.) yields a net site of 8,392 sq. ft. The code requires a minimum of 1,678 sq. ft. of landscaping, 4 trees and 17 shrubs. The total landscaping proposed by the applicant is 2,234 sq. ft. This equals 27% of the net site. The proposed project includes 13 trees and 79 shrubs.
- As all parking is provided underground, no associated landscaping or screening requirements exist.
- One shared and two private courtyards are proposed for the site. Landscaping is used heavily throughout both courtyards.

**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 and open spaces.
- 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:** There is one standard of Chapter 530 that is not being met: blank wall exceeds 25 feet in two locations of the 1<sup>st</sup> floor of the west elevation. Staff does not recommend alternative compliance for this condition, but recommends requiring this condition be met in final plans.

#### 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:** Residential and commercial uses are permitted in the C3A District, which is being proposed. Commercial tenants have not been secured; any prohibited uses will not be allowed and conditional uses will require a conditional use permit.

**Off-Street Parking and Loading:** Chapter 541 of the code requires one parking space for each dwelling unit, or 146. Staff used general retail sales and service to determine the parking needs of the commercial spaces, which would then be 18 spaces. The applicant is providing 32 commercial and 146 residential underground parking spaces.

**Maximum Floor Area:** The maximum floor area ratio for a building in the C3A district is 3.0. With two 20% density bonuses for providing all parking underground and mixed uses, the adjusted FAR is 4.2. The applicant proposal results in a floor area ratio of 3.70.

**Building Height:** Building height in the C3A District is limited to 4 stories not to exceed 56 feet. The proposed building is 6 stories because of a vaulted 5<sup>th</sup> floor, or a total of 68 feet high. See CUP findings for an increase in building height for staff analysis.

**Minimum Lot Area:** There minimum lot area required of a multi-family building in the C3A District is 400 sq. ft per dwelling unit. With two 20% density bonuses for providing all parking underground and providing mixed uses, the adjusted minimum lot area per dwelling unit is 289 sq. ft. The applicant is requesting a variance to reduce this minimum to 267.5 sq. ft. See variance finding for staff recommendation.

**Dwelling Units per Acre:** The applicant is proposing a density of 163 dwelling units per acre.

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

**Specific Development Standards:** Not Applicable at this time. Depending on the commercial uses that locate on the site, specific development standards may apply.

**Hours of Operation:** The commercial uses that locate on the site will be limited to operational hours between 6AM to 1AM Sunday through Saturday.

**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 located in a dumpster enclosure in the center of the shared courtyard between the North and South Buildings along the public alley.

**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.

## **PRELIMINARY PLAT –**

### **Required Findings:**

**1. Subdivision is in conformance with the land subdivision regulations including the requirements of section 598.100 relating to protection of natural resources, applicable regulations of the Zoning Code, and policies of the Comprehensive Plan.**

The subdivision is in conformance with the design requirements of the land subdivision regulations.

### **ZONING CODE**

With the approval of the preliminary (and then final) plat, and the concurrent applications laid out in this report, this development would meet the applicable requirements of the C3A with PO and R6 zoning district that are proposed.

### **THE MINNEAPOLIS PLAN**

See finding #1 in the rezoning findings.

**2. Subdivision will not be injurious to the use and enjoyment of other property in the immediate vicinity, nor be detrimental to present and potential surrounding land uses, nor add substantially to congestion in the public streets.**

Staff does not believe that the proposed plat creating two new lots consolidating 12 parcels of land will be detrimental to present and potential surrounding land uses, nor add to congestion in the public streets.

**3. All land intended for building sites can be used safely without endangering the residents or uses of the subdivision and the surrounding area by peril from floods, erosion, high water table, severe soil conditions, improper drainage, steep slopes, utility easements, rock formations, or other hazard.**

The site does not have steep slopes on the property and are not within a Flood Plain. Current utility easements will be maintained. The proposed development should not present other hazards.

**4. The lot arrangement is such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits and in providing driveway access to buildings on such lots from an approved street. Each lot created through subdivision is suitable in its natural state for the proposed use with minimal alteration.**

The lots being created by this plat present no foreseeable difficulties for the proposed development, however, there is an existing building that would be split by the property line that would separate the two proposed lots. This building is set to be demolished for the redevelopment, and staff recommends requiring that the demolition occur before a final plat is submitted to ensure property rights and building

locations do not come out of compliance with subdivision regulations. No significant alterations to the land appear necessary.

**5. The subdivision makes adequate provision for storm or surface water runoff, and temporary and permanent erosion control. The stormwater drainage system shall be separate and independent of any sanitary sewer system. All plans shall be designed in accordance with rules, regulations and standards of the city engineer. Facilities intended to be dedicated to the City shall be located in perpetual, unobstructed easements of a width determined to be adequate and necessary by the city engineer. To the extent practicable, the amount of stormwater runoff from the site after development does not exceed the amount occurring prior to development.**

Public Works will review and approve drainage and sanitary system plans before issuance of building permits.

### **RECOMMENDATIONS:**

**Recommendation of the Department of Community Planning and Economic Development – Planning Division for the zoning amendment change from C2 to C3A zoning district and extend the PO to the entire site:**

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **approve** the application for a zoning amendment to change of 2924, 2928, 2932, 2936 Aldrich Ave S from a C2 to C3A and extend the PO to the entire site.

**Recommendation of the Department of Community Planning and Economic Development – Planning Division for the zoning amendment change from I1 to C3A zoning district with PO:**

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **approve** the application for a zoning amendment to change a portion of 2900 Aldrich Ave S from a I1 to C3A with PO.

**Recommendation of the Department of Community Planning and Economic Development – Planning Division for the conditional use permit to allow 146 new dwelling units:**

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 for **135** new dwelling units at 2924, 2928, 2932, 2936 Aldrich Ave S and a portion of 2900 Aldrich Ave S.

**Recommendation of the Department of Community Planning and Economic Development – Planning Division for the conditional use permit to increase permitted height from 4 to 6 stories:**

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 increase permitted height from 4 to 6 stories and 68 feet at 2924, 2928, 2932, 2936 Aldrich Ave S and a portion of 2900 Aldrich Ave S.

**Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance to reduce the minimum interior side yard along the public alley from 15 to 1 foot:**

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 minimum interior side yard along the public alley from 15 to 1 foot at 2924, 2928, 2932, 2936 Aldrich Ave S and a portion of 2900 Aldrich Ave S.

**Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance to reduce the Minimum Lot Area from 289 sq. ft. per dwelling unit (with density bonuses) to 267.5 sq. ft. per dwelling unit, a 7% reduction:**

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 reduce the Minimum Lot Area from 289 sq. ft. per dwelling unit (with density bonuses) to 267.5 sq. ft. per dwelling unit, a 7% reduction, at 2924, 2928, 2932, 2936 Aldrich Ave S and a portion of 2900 Aldrich Ave S.

**Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance to increase the maximum width of a driveway in the Pedestrian Oriented Overlay District from 20 to 24 feet of street frontage:**

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 increase the maximum width of a driveway in the Pedestrian Oriented Overlay District from 20 to 24 feet of street frontage at 2924, 2928, 2932, 2936 Aldrich Ave S and a portion of 2900 Aldrich Ave S.

**Recommendation of the Department of Community Planning and Economic Development – Planning Division for a 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 2924, 2928, 2932, 2936 Aldrich Ave S and a portion of 2900 Aldrich Ave S, subject to the following conditions:

1. Some combination of windows and/or architectural detail will be used to eliminate any blank wall conditions in excess of 25 feet on the 1<sup>st</sup> floor of the west elevation of the building.
2. CPED Planning staff review and approval of the final site and landscaping plans.
3. All site improvements shall be completed by January 12, 2008, unless extended by the Zoning Administrator, or the permit may be revoked for noncompliance.

**Recommendation of the Department of Community Planning and Economic Development – Planning Division for a preliminary plat:**

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 preliminary plat at 2924, 2928, 2932, 2936, and 2900 Aldrich Ave S, subject to the following conditions:

1. The final plat will not be submitted until the demolition of the existing building at 2900 Aldrich Ave S to ensure that an existing building is not split by the newly created property lines.

**Attachments:**

1. Statement of use
2. Findings
3. PDR comments
4. Memo from Public Works
5. Correspondence
6. Travel Demand Management Plan draft
7. Preliminary Plat, Site plans, Elevations, Floor plans, and Zoning map
8. Photos