

Department of Community Planning and Economic Development—Planning Division
Amendment to the Conditional Use Permit and Site Plan Review
BZZ-3098

Date: 8/28/06

Applicant: CW Lofts, LLC; 730 Stinson Blvd. NE, Mpls., MN 55413

Address of Property: 730 Stinson Blvd. NE, Mpls., MN 55413

Project Name: CW Lofts Project

Contact Person and Phone: Mike Brady and Jim Norling, CW Lofts, LLC; 730 Stinson Blvd. NE, Mpls., MN 55413; 612-623-4444

Planning Staff and Phone: J. Michael Orange (voice: 612-673-2347; facsimile: 673-2728; TDD: 673-2157; e-mail: michael.orange@ci.minneapolis.mn.us)

Date Application Deemed Complete: 8/2/06

End of 60-Day Decision Period: 10/1/06

End of second 60-Day Decision Period: Not applicable at this time

Ward: 1 Neighborhood Organization: Northeast Park / Northeast Park Neighborhood Association

Existing Zoning: I2, Medium Industrial District and Industrial Living Overlay District

Zoning Plate Number: 16

Legal Description: Lots 1 and 2, Auditor's Subdivision Number 268, Hennepin County, Minnesota, according to the map or plat thereof on file and of record in the office of the Registrar of Titles in and for said Hennepin County. And that part of the west 56.00 feet of Stinson Boulevard Northeast as shown on the plat of "Minneapolis Industrial District," according to the recorded plat thereof, Hennepin County, Minnesota, which lies northerly of the easterly extension of the south line of Lot 1, Auditor's Subdivision Number 268, files of the County Recorder, and which lies southerly of a line 40.00 feet southerly of and parallel with the easterly extension of the north line of Lot 1, said Auditor's Subdivision Number 268.

Proposed Use: Application by CW Lofts, LLC to expand by 35 stalls the prior-approved 30-stall parking lot currently under construction between Stinson Blvd. NE and the CW Lofts building at 730 Stinson Blvd.

Prior Approvals:

<p>Attention: If you want help translating this information, call - Hmong - Ceeb toom. Yog koj xav tau kev pab txhais cov xov no rau koj dawb, hu 612-673-2800; Spanish - Atención. Si desea recibir asistencia gratuita para traducir esta información, llama 612-673-2700; Somali - Ogow. Haddii aad dooneyso in lagaa kaalmeeyo tarjamadda macluumaadkani oo lacag la' aan wac 612-673-3500</p>
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- **HPC approval:** On 12/14/04, the Minneapolis Heritage Preservation Commission (HPC) approved a Certificate of Appropriateness to allow the residential rehabilitation (and grain bin demolition) for the existing building. The HPC also adopted boundaries that delineated the historic landmark. These boundaries are limited to the area around the existing building and do not include the subject parking lot.
- **Planning Commission approvals on 1/10/05 (BZZ-2127):**
 - Rezoning for Industrial Living Overlay District (ILOD)
 - Conditional use permit to allow dwelling units in the Industrial Living Overlay District (ILOD)
 - Conditional use permit to increase the bulk and height of the 5th floor
 - Site Plan Review
- **City Council approval on 2/11/05 (BZZ-2127):** Rezoning to the ILOD

Concurrent Review:

- Amendment to the Conditional Use Permit (BZZ-2127)
- Amendment to the Site Plan Review (BZZ-2127)

Applicable Zoning Code Provisions:

- **Conditional Use Permit:** Dwelling units are conditional in the ILOD per 551.370. Section 525.360 (b) requires an amendment to the CUP.
- **Site Plan Review:** Developments over 20,000 sq. ft. need a site plan review approval per Table 530-1.

BACKGROUND

Notwithstanding the Planning Division's recommendation for denial, the Planning Commission approved the rezoning petition, conditional use permit, and site plan review application; and the City Council and Mayor gave final approval of the rezoning petition. CW Lofts is applying to amend the CUP and site plan review approvals to expand by 35 stalls the prior-approved 30-stall parking lot currently under construction between Stinson Blvd. NE and the CW Lofts building at 730 Stinson Blvd. The chart in the Conditional Use Permit section of this report summarizes the proposed changes in the number of stalls and provides stall-per-unit ratios. The chart also accounts for the second phase of the project, which the developer has stated will occur at some unknown time in the future on the western portion of the site.

CONDITIONAL USE PERMIT

Findings as Required by the Minneapolis Zoning Code for the Conditional Use Permit:

The Community Planning and Economic Development Department – Planning Division has analyzed the application and from the findings below 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 City staff's Preliminary Development Review Committee will review the proposed changes to the project on 8/23/06. The committee's report was not available prior to the printing of this staff report.

The addition of 35 stalls on the east side of the site will have no substantive adverse effect on public health, safety, comfort, or general welfare. However, the additional stalls increase the stalls-per-dwelling-unit ratio from 1.5 to 1.8 (refer to the parking chart below). Planning and Public Works staff rely on a rule-of-thumb maximum appropriate ratio of 1.5 stalls per unit in order to discourage the continued over-reliance on the car, minimize congestion and transportation-related pollution, and maximize pervious surfaces and the highest and best use of land. In the event that the applicant constructs the second phase of the project, which is a new building on the western portion of the site, the parking ratio for both phases will increase from 1.3 to 1.5 stalls per unit. The applicant's statement regarding this matter can be found in Attachment 9.

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 Mid City Industrial Area has not transitioned to one that includes neighborhood-serving retail/service, residential, or entertainment uses and it is one of the few industrial areas left in the City that has excellent freeway access and is truly buffered from residential uses. The very traits that make the Mid-City Industrial Area so attractive as an industrial area (isolation from residential areas, proximity to the freeway for commercial truck traffic, and compatible industrial uses) make it less desirable for housing. The *Minneapolis Plan* designates the area as a Potential Growth Center and as an Industrial Business Park Opportunity Area; however, the focus of growth is primarily industrial employment with limited residential growth along the edges of the area. This site is in the middle of some of the few remaining areas in the City zoned for I2, General Industrial. The Mid-City Industrial Area, probably the second largest in the City at approximately 270 acres (0.9 miles by 0.5 miles) has mostly I2 zoning that allows industries with the potential for significant off-site impacts (noise, vibration, 24-hr. operations, truck traffic, etc.).

The Planning staff concern expressed in the prior staff report was that the new residents may not appreciate the off-site impacts of their industrial neighbors, such as from the Interplastic Corp. plant located about 850 ft. to the northwest; impacts that otherwise are normal in an industrial area. On the other hand, the expansion of the parking lot will not, by itself, have a significant off-site effect on the industrial uses in the area.

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

The proposed amendment moves the 30 approved stalls that are planned for the west side of the drive aisle 12 ft. further to the west and places the additional 35 stalls proposed for the east side of the drive aisle up against property line on Stinson Blvd. In order to proceed, CW

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Lofts must obtain an encroachment permit from the Public Works Department in order to place the required landscaping for the new stalls on the public right of way.

Public Works is reviewing the proposed amendment to the prior-approved stormwater management plan. There will no substantive effect on the already approved plan for vehicular access.

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

The Travel Demand Management (TDM) Plan prepared for the project concludes that, although ambient levels of traffic may cause Level of Service ratings of D at certain intersections under the 2007 Build Condition, the project will have no substantive effect on these ambient levels of traffic. The TDM Plan states that residential parking demand for the type of housing proposed ranges between 1.0 and 1.5 stalls per dwelling unit. As the following chart points out, Phase I of the project, if amended, will include 221 stalls for 122 units. This equals 1.8 stalls per unit and has 99 more stalls than required by the Zoning Code. If Phase II is built, the total numbers will be 279 stalls for 186 units, or a parking ratio of 1.5 with 93 excess stalls. The excessive number of stalls for the project means that it will add vehicles and probably trips, which will increase traffic congestion and air pollution. However, since the addition is limited to 35 stalls, the new parking will not result in a change to the Level of Service conclusions in the TDM Plan.

The following summarizes the parking aspects of the project:

	Approved Project		Amendment pending before CPC	
	Phase I (1)	Totals with Phase II (2)	Phase I (1)	Totals with Phase II (2)
Condominiums	122	186	122	186
Parking:				
Garaged stalls	81	145	81	145
Surface stalls (east side)	30	30	65	65
Surface stalls (west side)	75	69	75	69
Total stalls	186	244	221	279
Stalls per dwelling unit	1.5	1.3	1.8	1.5
Stalls in excess of Zoning Code minimums:	64	58	99	93
(1) These numbers reflect the amounts built or under construction and are slightly smaller than the approved amounts				
(2) No applications for Phase II have been submitted				

Metro Transit stops are located on both sides of Stinson Blvd. and there is a covered transit stop on the southeast side of the intersection of Stinson and Broadway. A bus stop with a curb turn-out for buses is located on the west side of Stinson and south of Broadway

adjacent to the project (refer to photo #4 in Attachment 7). There is only one transit route (#25) that operates in the immediate area; it's on Stinson and provides service from Blaine through Mounds View, New Brighton, St. Anthony, downtown Minneapolis, and ends at the intersection of France Ave. and Lake St. This route stops at the Stinson and Broadway intersection 22 times each day in both directions.

Both Broadway and Stinson are truck routes.

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

- a) **Applicable plans:** The following is a review of the applicable plans and policies of the City:

Policy 2.1: Minneapolis will increase its share of economic prosperity in the region.

Implementation Steps (selected):

- Create a growth center concept approach to economic development, housing investment, transit service planning and investment in amenities to focus major investments in the city.

Policy 9.12: Minneapolis will promote design solutions for automobile parking facilities that reflect principles of traditional urban form.

Implementation Steps (selected):

- Require the landscaping of parking lots.
- Establish reduced minimum and new maximum parking standards to discourage auto over-reliance.
- Locate parking lots behind buildings or in the interior of a block to reduce the visual impact of the automobile in mixed-use areas.

Policy 9.26: Minneapolis will prioritize growth in light industrial land uses to increase the tax base and create jobs for city residents.

Implementation Steps

- Identify appropriate areas for the retention and expansion of existing industry and the development of new industry in specific industrial and business park opportunity areas.
- Promote light industrial uses as the preferred use of industrial land, but discourage warehouse or distribution uses in areas where truck traffic will negatively impact residential neighborhoods.

- b. **Consistency with plans:**

- The *Minneapolis Plan* designates the Mid-City Industrial Area as an Industrial Business Park Opportunity Area. These areas are characterized by

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immediate access to the regional freeway network, restricted residential land use presence within immediate adjoining parcels of the area, and location preference to higher job density and light industrial uses. Expanded parking availability for an already approved use is neutral as regards this policy.

- The Plan also designates the Mid-City Area as a Potential Tier 2 Growth Center having the potential for 350 to 2,500 new jobs and up to 500 new housing units. Designated Growth Centers must have four components: housing, businesses, amenities, and transit service. Again, expanded parking availability for an already approved use is neutral as regards this policy.
- Policy 9.12 calls for parking lots to be behind or on the side of buildings and to be properly landscaped. The proposed amendment would expand a parking lot that is inconsistent with this policy for stalls that are significantly in excess of the amount called for by the Travel Demand Management Plan for the project. Also the plan is inconsistent with the site plan review requirements as regards landscaping, screening, and yards (refer to the next section of this report).

6. And does in all other respects conform to the applicable regulations of the district in which it is located upon approval of these conditional use and other permits.

The application does not meet the following applicable site plan review requirements of the Zoning Code:

- The current approved parking lot is between the building and Stinson Blvd. The proposed amendment will increase this nonconformance.
- The parking lot expansion moves the public sidewalk on the northern third of the block up to the street, as much as 33 ft. closer to the extensive traffic on Stinson Blvd.
- The proposed amendment does not include the required 7-ft. landscaped yard between the parking lot and Stinson Blvd.
- The parking lot includes adequate screening to the east but not to the north and south.
- Most of the 30 stalls on the west side of the lot will be within 50 ft. of an on-site deciduous tree but none of the 35 new stalls will be.
- The Code requires 85 trees and the current landscape plan calls for 54 trees, 31 less than the number required. The Code requires 427 shrubs and the current landscape plan calls for 283 shrubs, 144 less than the number required.

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 current approved parking lot is between the building and Stinson Blvd. The proposed amendment will increase nonconformance with the provision that requires off-street parking to be located to the rear or interior side of the site.

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:

- **Sidewalks:** The currently approved public sidewalk for the site is 10 ft. from the curb on Stinson Blvd. on the southern portion of the block. In the mid-block area where there is a bump-in for the bus stop and bus pull-over, the proposed sidewalk will be up to the curb. On the northern portion of the block, it will be 33 ft. back from the face of the curb (Attachment 4 and 7). To accommodate the proposed parking lot expansion and avoid two existing trees, the new sidewalk alignment would move up to the face of the curb along its entire length on Stinson Blvd. This change to the northern third of the block face will bring pedestrians up to 33 ft. closer to the busy traffic on Stinson Blvd. The extra row of parking means that pedestrians walking between the principal entrance of the CW Lofts building and the public sidewalk would have to cross through more parking lot area, which is inconsistent with the requirement that, “vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and surrounding residential uses.”
- **Sidewalk width:** The proposed width will match the approved width of 7 ft. on Stinson Blvd. Public Works staff will require a minimum 8-ft. sidewalk since its new location up to the street curb will also have to accommodate snow storage.
- **Transit stops:** As stated above, Metro Transit stops are located on both sides of Stinson Blvd. and there is a covered transit stop on the southeast side of the intersection of Stinson and Broadway. Route 25 operates on Stinson and stops at the Stinson and Broadway

intersection 22 times each day in both directions.

- **Impervious surfaces:** As the chart below indicates, the new paving will reduce the pervious surfaces by approximately 4,900 sq. ft. All areas not needed for buildings, parking, or access are landscaped.

LANDSCAPING AND SCREENING:

- The composition and location of landscaped areas shall complement the scale of the development and its surroundings.
- Not less than twenty (20) percent of the site not occupied by buildings, including all required landscaped yards, shall be landscaped as specified in section 530.160 (a).
- Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.
- Except as otherwise provided, required screening shall be at least ninety-five (95) percent opaque throughout the year. Screening shall be satisfied by one or a combination of the following:
 - A decorative fence.
 - A masonry wall.
 - A hedge.
- Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.170 (b), including providing landscape yards along a public street, public sidewalk or public pathway and abutting or across an alley from a residence or office residence district, or any permitted or conditional residential use.
- The corners of parking lots where rows of parking spaces leave areas unavailable for parking or vehicular circulation shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks or bicycle parking.
- In parking lots of ten (10) spaces or more, no parking space shall be located more than fifty (50) feet from the center of an on-site deciduous tree. Tree islands located within the interior of a parking lot shall have a minimum width of seven (7) feet in any direction.
- All other areas not governed by sections 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.
- Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.210.
- The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.80, as provided in section 530.220.

Conformance:

- The following chart compares the landscaping requirements for the current project and as proposed to be amended:

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	Approved Project	Amendment pending before CPC
Site	261,396	261,396
Footprint	48,113	48,113
Net site	213,283	213,283
Landscaping required (20% of net site)	42,657	42,657
Landscaping provided	117,514	112,654
Percent of net site	55%	53%
Yard to the east of the parking lot (1)	5 ft.	none
Required trees (1 per 500 sq. ft. required landscaping)	85	85
Provided trees	55	54
Tree deficiency	Plan approved	31
Required shrubs (1 per 100 sq. ft. required landscaping)	427	427
Provided shrubs	Plan approved	283
Shrub deficiency		144
(1) 7 ft. yard required or alternative compliance		

- Section 530.170 (b) (1) requires a 7-ft. yard between the parking lot and the property line. There is sufficient space on site to provide the 7-ft. yard on site without affecting any of the existing trees. Although asphalt removal has begun, the applicant has not yet begun construction of the already-approved parking lot. As stated above, the proposed parking is up to the property line and the applicant proposes to obtain an encroachment permit from Public Works to use the public right-of way for the required screening.
- The parking lot includes adequate screening to the east but not to the north and south.
- The corners of the parking lot include sod but no trees.
- Most of the 30 stalls on the west side of the lot will be within 50 ft. of an on-site deciduous tree but none of the 35 new stalls will be. However, these stalls will be within 50 ft. of existing and proposed trees on the public right of way. The proposed stall width is 9 ft.; 6 inches more than the minimum required by the Zoning Code. If the width was reduced to 8.5 ft. per the Code, two 7-ft. wide planting islands could be added to the eastern half of the lot without a loss of stalls. If trees were added to the 5 proposed parking lot islands and the two additional suggested islands, all of the stalls would be within 50 ft. of an on-site deciduous tree.
- With the exception of the drive, sidewalks, and parking and loading areas, the entire site is landscaped.
- The Code requires one tree per 500 sq. ft. of required landscaping, which totals to 85 trees. The current landscape plan calls for 54 trees, 31 less than the number required. The Code requires one shrub per 100 sq. ft. of required landscaping, which totals to 427 shrubs. The current landscape plan calls for 283 shrubs, 144 less than the number required.

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.
- 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.
- 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:

- The project will comply with the Code as regards needed curbing and drainage. Public Works is reviewing the needed amendment to the currently approved stormwater management plan.
- As stated above, the project as proposed is not in full compliance with the yard, landscaping, and screening requirements of the Code.
- Lighting will be consistent with the Code through the use of full cut-off fixtures and proper placement.

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

Zoning Code: The proposed use is conditional in the Industrial Living Overlay District.

Off-Street Parking and Loading: As stated above, the project, if amended, will include 221 stalls for 122 units. This equals 1.8 stalls per unit and is 99 more stalls than required by the Zoning Code. This is in excess of the recommended range of parking ratios for this type of residential development according to the Travel Demand Management Plan and according to the rule-of-thumb used by the Planning and Public Works departments for multi-family residential projects.

Maximum Floor Area: Not applicable.

Building Height: Not applicable.

Minimum Lot Area: Not applicable.

Yard Requirements: As stated above, Section 530.170 (b) (1) calls for a 7-ft. landscaped yard between the parking lot and Stinson Blvd. The proposed parking is up to the property line and the applicant proposes to obtain an encroachment permit from Public Works to use the public right-of-way for the required screening.

Specific Development Standards: Not applicable.

Hours of Operation: Not applicable.

Signs: No new signs are proposed in this amendment.

Refuse storage: Not applicable.

Minneapolis Plan: Refer to the Conditional Use Permit section of this report.

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: The application does not meet the following applicable site plan review requirements of the Zoning Code:

- The current approved parking lot is between the building and Stinson Blvd. The proposed amendment will increase this nonconformance.
- The parking lot expansion moves the public sidewalk on the northern third of the block up to the street, as much as 33 ft. closer to the extensive traffic on Stinson Blvd.
- The proposed amendment does not include the required 7-ft. landscaped yard between the parking lot and Stinson Blvd.
- The parking lot includes adequate screening to the east but not to the north and south.
- Most of the 30 stalls on the west side of the lot will be within 50 ft. of an on-site deciduous tree but none of the 35 new stalls will be.

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- The Code requires 85 trees and the current landscape plan calls for 54 trees, 31 less than the number required. The Code requires 427 shrubs and the current landscape plan calls for 283 shrubs, 144 less than the number required.

The city planning commission or zoning administrator may approve alternatives to any site plan review requirement upon finding any of the following:

1. As stated above, the project will include 221 stalls for 122 units. This equals 1.8 stalls per unit and is 99 more stalls than required by the Zoning Code. This is in excess of the recommended range of parking ratios for this type of residential development according to the Travel Demand Management Plan and according to the rule-of-thumb used by the Planning and Public Works departments for multi-family residential projects. Planning Division staff believe the expanded parking lot is not needed for the success of the CW Lofts development.
2. Should the project be approved, there is sufficient space on site to meet all of the Zoning Code requirements including the required landscaped yard (by moving the parking lot 7 ft. to the west), screening, and the number of trees and shrubs.
3. As stated above, Policy 9.12 of the *Minneapolis Plan* calls for parking lots to be behind or on the side of buildings and to be properly landscaped. The proposed amendment would expand a parking lot that is inconsistent with this policy for stalls that are significantly in excess of the amount called for by the Travel Demand Management Plan for the project.

Staff conclusion: Considering the above, Planning staff believe the project does not meet the required alternative compliance standards.

RECOMMENDATIONS

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

The City Planning Division recommends that the City Planning Commission adopt the above findings and **deny** the proposed amendment to the Conditional Use Permit for the CW Lofts Project at 730 Stinson Blvd. NE.

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

The City Planning Division recommends that the City Planning Commission adopt the above findings and **deny** the proposed amendment to the Site Plan Review approval for the CW Lofts Project at 730 Stinson Blvd. NE.

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Attachments:

1. Zoning and lot lines in the area
2. Primary and Overlay Zoning
3. Currently approved site plan
4. Proposed site plan
5. Landscape plan
6. Aerial photo highlighting sidewalks and photo identification
7. Photos of sidewalks
8. Photos of the area
9. Applicant's statement