

Department of Community Planning and Economic Development – Planning Division
Rezoning, Conditional Use Permit and Site Plan Review
BZZ-5226

Date: August 29, 2011

Applicant: RS Eden

Addresses of Property: 822 South Third Street

Project Name: Emanuel Housing

Contact Person and Phone: Terri Cermak with Cermak Rhoades Architects, (651) 556-8631

Planning Staff and Phone: Hilary Dvorak, (612) 673-2639

Date Application Deemed Complete: August 2, 2011

End of 60-Day Decision Period: October 2, 2011

End of 120-Day Decision Period: Not applicable for this application

Ward: 7 **Neighborhood Organization:** Downtown Minneapolis Neighborhood Association

Existing Zoning: B4N, Downtown Neighborhood District with the DP Downtown Parking Overlay District

Proposed Zoning: B4N, Downtown Neighborhood District with the DP Downtown Parking Overlay District and the B4H Downtown Housing Overlay District

Zoning Plate Number: 20

Legal Description: Lots 2, 3, 4 and 5, Block 44, Town of Minneapolis, Hennepin County, Minnesota. A portion of the above-described property is registered land described as follows: All that part of Lot 2 lying in the Northwest Quarter of the Northeast Quarter of Section 26, Township 29, Range 24; Lots 3 and 4; The Southeasterly 44 feet of Lot 5; That part of Lot 2 lying West of the quarter section line dividing the Northwest Quarter from the Northeast Quarter, Section 26, Township 29, Range 24, Block 44, Town of Minneapolis.

Proposed Use: Supportive Housing facility

Concurrent Review:

Rezoning: to add the B4H Overlay District

Conditional use permit: for a 101-unit supportive housing facility

Site plan review

Applicable zoning code provisions: Chapter 525, Article VI, Zoning Amendments, Chapter 525, Article VII, Conditional Use Permits and Chapter 530 Site Plan Review.

Background: RS Eden is proposing to construct a 101-unit supportive housing facility on the property located at 822 South Third Street. Within the building there will be 95 efficiency units and six one-bedroom units. There is an existing building located on the site. This building will be renovated and a new building will be constructed immediately to the west. The ground floor of the existing building will be occupied by The Council on Crime and Justice (CCJ) which is currently in the building. The ground floor of the new building will be occupied by associated supportive service functions for the residents within the building and a commercial space which RS Eden is seeking a tenant for. The goal is to occupy this space with a non-profit tenant whose mission and services will benefit the tenants. The housing portion of the building will occupy the upper floors of both the existing building and the new building. Since the floor levels of the two buildings will not match up an elevator and stairway will be constructed between the two. On the north side of the building outdoor green space with a patio is being planned. There will not be any on-site parking.

The target population for the building is individuals who have been or are experiencing long-term homelessness. Many of the residents will be disabled (chemical dependency and/or mental illness). All of the residents will have access to a Support Service Case Manager who will help determine an individual support plan addressing skills, income, health and wellness, community access and housing stability. There will also be a front desk that is staffed 24 hours a day, seven days a week.

Supportive housing facilities are subject to specific development standards. One of these standards requires that supportive housing facilities be located at least a quarter mile from all other existing supportive housing facilities as well as community correctional facilities, community residential facilities, inebriate housing facilities, motels and overnight shelters. Within a quarter-mile of the site there is one existing supportive housing facility, People Serving People, located at 251 Portland Avenue South. In the downtown area one can apply to rezone their site to add the B4H Downtown Housing Overlay District, which allows the spacing requirements to be waived. Another specific development standard for a supportive housing facility is that there be no more than 32 residents in the building. Again, in the downtown area one can apply to rezone their site to add the B4H Downtown Housing Overlay District which allows the maximum occupancy requirements to be waived. The applicant has applied to rezone the site to add the B4H Downtown Housing Overlay District.

REZONING: to add the B4H Downtown Housing Overlay to the property

Findings as Required by the Minneapolis Zoning Code:

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

This site is located on Third Street South, between Chicago Avenue and Ninth Avenue South in downtown Minneapolis. Chicago Avenue is a designated Commercial Corridor and Downtown Minneapolis is a designated Grown Center in *The Minneapolis Plan for Sustainable Growth*. The future land use map in *The Minneapolis Plan for Sustainable Growth* designates the site as Mixed Use.

According to the principles and polices outlined in *The Minneapolis Plan for Sustainable Growth*, the following apply to this proposal:

- Support development of Growth Centers as locations for concentration of jobs and housing, and supportive services (Land Use Policy 1.15).
- Encourage the development of high- to very high-density housing within Growth Centers (Implementation Step for Land Use Policy 1.15).
- Support housing density in locations that are well connected by transit, and are close to commercial, cultural and natural amenities (Housing Policy 3.2).
- Encourage and support housing development along commercial and community corridors, and in and near growth centers, activity centers, retail centers, transit station areas, and neighborhood commercial nodes (Implementation Step for Housing Policy 3.2).

The Planning Division believes that the proposed zoning amendment is in conformance with the above policies of *The Minneapolis Plan for Sustainable Growth*. The site is located in a Growth Center where increased housing density is encouraged.

The site is located within the boundaries of the *Update to the Historic Mills District Master Plan* which was adopted by the Minneapolis City Council in September of 2001. The future land use map in the *Update to the Historic Mills District Master Plan* designates the site as mixed use with ground floor commercial and residential above. The Planning Division believes that the proposed zoning amendment is in conformance with the recommendations of the *Update to the Historic Mills District Master Plan*.

The site is also located within the boundaries of the *Downtown East/North Loop Master Plan* which was adopted by the Minneapolis City Council in October of 2003. The future land use map in the *Downtown East/North Loop Master Plan* also designates the site as mixed use. The Planning Division believes that the proposed zoning amendment is in conformance with the recommendations of the *Downtown East/North Loop Master Plan*.

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

The amendment will allow the applicant to construct a new supportive housing facility within a quarter-mile of an existing supportive housing facility. City policymakers have identified Downtown Minneapolis as a Growth Center. Approving this rezoning supports the City’s decision to increase housing density in this area.

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.

All of the surrounding properties are zoned B4N, Downtown Neighborhood except the Metrodome is zoned IL, Light Industrial. The existing supportive housing facility, People Serving People, located at 251 Portland Avenue South is also zoned B4N, Downtown Neighborhood and is also located in the B4H Downtown Housing Overlay District. There are a variety of uses within the surrounding neighborhood. Uses include surface parking lots, a regional sports arena, residential uses of varying densities, offices

and a variety of commercial businesses. Given the diversity of uses in the area the Planning Division believes that adding the B4H Downtown Housing Overlay District to the site would be compatible with the surrounding area.

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.

There are many uses permitted in the B4N, Downtown Neighborhood. A sampling of the permitted uses include:

- General retail sales and services
- Bank or financial institution
- Funeral home
- Performing, visual or martial arts school
- Shopping center
- Offices
- Liquor store, off sale
- Restaurant, fast food
- Reception or meeting hall
- Clinic, medical or dental
- Multiple-family dwelling, five units or more
- Hospitality residence
- School, vocational of business
- Community center
- Museum
- Place of assembly
- Packaging of finished goods
- Police station
- Post office

It should be pointed out that when rezoning a site to add an overlay district it does not preclude the property owner from using the site for one of the uses allowed in the primary zoning 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.

The B4N, Downtown Neighborhood zoning district and associated regulations were adopted by the Minneapolis City Council in July of this year. Even prior to July there has not been a change in the character or trend of development in the general area of the property in question. However, just north of Washington Avenue South there has been a great deal of redevelopment, including residential, office, entertainment and mixed-use developments. In addition, there is a lot of infrastructure work going on in the area with the upcoming Central Corridor Light Rail Transit line opening.

CONDITIONAL USE PERMIT: to allow a 101-unit supporting housing facility

Findings as Required by the Minneapolis Zoning Code:

The Community Planning and Economic Development Department – Planning Division has analyzed the application and from the findings above concludes that:

1. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.

The Planning Division does not believe that a 101-unit supportive housing facility will be detrimental to or endanger the public health, safety, comfort or general welfare. The development will provide housing for individuals battling long-term homelessness, those with mental and/or chemical health issues and persons with lower incomes.

2. The conditional use 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 Planning Division does not believe that a 101-unit supportive housing facility would 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. Surface parking lots are located to the north, south and west sides of the site. Across Ninth Avenue South is a commercial building. Other uses in the neighborhood include a regional sports arena, residential uses of varying densities, offices and a variety of commercial businesses. However, it should be noted that most of these uses are located north of Washington Avenue South. Constructing a 101-unit residential development with ground floor office space on this site should attract other development to what is currently an under populated area of downtown Minneapolis.

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

The applicant would be working closely with the Public Works Department, the Plan Review Section of the Inspections Department and the various utility companies during the duration of the development to ensure that all procedures are followed in order to comply with city and other applicable requirements.

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

There is no minimum parking requirement for a supportive housing facility in the B4N zoning district. The applicant is not proposing to provide any on-site parking for this development. The site is located in close proximity to the Metrodome LRT station which serves the Hiawatha Light Rail line and will serve the Central Corridor Light Rail line. In addition, the project will exceed the minimum bicycle requirement for the use.

5. The conditional use is consistent with the applicable policies of the comprehensive plan.

This site is located on Third Street South, between Chicago Avenue and Ninth Avenue South in downtown Minneapolis. Chicago Avenue is a designated Commercial Corridor and Downtown Minneapolis is a designated Grown Center in *The Minneapolis Plan for Sustainable Growth*. The future land use map in *The Minneapolis Plan for Sustainable Growth* designates the site as Mixed Use. According to the principles and policies outlined in *The Minneapolis Plan for Sustainable Growth*, the following apply to this proposal:

- Support development of Growth Centers as locations for concentration of jobs and housing, and supportive services (Land Use Policy 1.15).
- Encourage the development of high- to very high-density housing within Growth Centers (Implementation Step 1.15.3).
- Grow by increasing the supply of housing (Housing Policy 3.1).
- Support housing density in locations that are well connected by transit, and are close to commercial, cultural and natural amenities (Housing Policy 3.2).
- Encourage and support housing development along commercial and community corridors, and in and near growth centers, activity centers, retail centers, transit station areas, and neighborhood commercial nodes (Implementation Step 3.2.1).
- Increase housing that is affordable to low and moderate income households (Housing Policy 3.3).
- Support policies and programs that create long-term and perpetually affordable housing units (Implementation Step 3.3.4).
- Support the development of housing with supportive services that help households gain stability in areas such as employment, housing retention, parenting, and substance abuse challenges (Implementation Step 3.3.5).
- Foster partnerships with housing developers, financial institutions, faith communities and others to extend the city's capacity to create affordable housing (Implementation Step 3.3.8).
- Preserve and increase the supply of safe, stable, and affordable supportive housing opportunities for homeless youth, singles and families (Housing Policy 3.4).
- Promote increased development of housing for very low-income households earning 30% or less of metropolitan income (Implementation Step 3.4.1).
- Support the creation of additional supportive housing units for homeless youth, singles and families (Implementation Step 3.4.2).
- Implement and promote additional strategies to reduce homelessness, such as those identified in Heading Home Hennepin (Implementation Step 3.4.5).

The Planning Division believes that the proposed development is in conformance with the above policies of *The Minneapolis Plan for Sustainable Growth*. The proposed development will provide 101 supportive housing units for individuals battling long-term homelessness, those with mental and/or chemical health issues and persons with lower incomes.

The site is located within the boundaries of the *Update to the Historic Mills District Master Plan* which was adopted by the Minneapolis City Council in September of 2001. The future land use map in the *Update to the Historic Mills District Master Plan* designates the site as mixed use with ground floor

commercial and residential above. The Planning Division believes that the proposed zoning amendment is in conformance with the recommendations of the *Update to the Historic Mills District Master Plan* as the ground floor of the building will be occupied by office space and the upper levels of the building will be occupied by housing.

The site is also located within the boundaries of the *Downtown East/North Loop Master Plan* which was adopted by the Minneapolis City Council in October of 2003. The future land use map in the *Downtown East/North Loop Master Plan* also designates the site as mixed use. The Planning Division believes that the proposed zoning amendment is in conformance with the recommendations of the *Downtown East/North Loop Master Plan*.

6. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

With the approval of the rezoning, conditional use permit and site plan review this development will meet the applicable regulations of the B4N, Downtown Neighborhood District with the DP Downtown Parking Overlay District and the B4H Downtown Housing Overlay District.

SITE PLAN REVIEW

Findings as Required by the Minneapolis Zoning Code:

- 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 DESIGN:

- 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, windows, and active functions:
 - 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.

g. In multiple tenant buildings, each individual ground level tenant space that faces a public street, public sidewalk, public pathway, or on-site parking lot shall comply with the minimum window requirements of this section.

- **Minimum window area shall be measured as indicated in section 530.120 of the zoning code.**
- **Ground floor active functions: Except for industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, the first floor or ground level of buildings shall be designed to accommodate active functions by ensuring that parking, loading, storage, or mechanical equipment rooms are limited to no more than thirty (30) percent of the linear building frontage along each wall facing 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. In addition to compliance with minimum window requirements, principal and accessory parking garages shall comply with provisions requiring active functions on the ground floor. In the downtown districts, the more restrictive parking garage provisions of Chapter 549, Downtown Districts, shall apply.**

PLANNING DIVISION RESPONSE:

- The building reinforces the street wall, facilitates pedestrian access and maximizes natural surveillance. The building is set relatively close to the front property line, there are entrances and exits at street level that can be accessed by residents and employees and there are large windows on all sides of the building that maximize the opportunities for people to observe adjacent spaces and the public sidewalks.
- The existing building is located up to the front property line and the addition will be located two feet from the front property line along Third Street South.
- The two feet located between the building and the front property line will be used as an extension of the public sidewalk.
- The three principal entrances leading in to the building have been oriented towards Third Street South.
- There will be no on-site parking provided.
- The existing building is made out of brick. The exterior materials of the building addition will include brick, metal and fiber cement panels. The sides and rear of the building are similar to and compatible with the front of the building.
- The building wall along Third Avenue South is approximately 250 feet in length. To break up the building wall the applicant has set the new building back two feet from the front property line whereas the existing building is located up to the front property line. In addition, three sections of windows on the upper levels of the building addition project outwards from the front wall of the building.
- There are no areas of the building that are over 25 feet in length and void of windows, entries, recesses or projections, or other architectural elements.

- At least 30 percent of the first or ground floor and at least 10 percent of the upper floors of the building that face a public street, public sidewalk, public pathway, or on-site parking lot are required to be windows. The window requirement pertains to the Third Street South and Ninth Avenue South walls of the building. Please note that the minimum window calculation for the first floor of the building is measured between two and ten feet above the adjacent grade. The analysis of the project's compliance with these requirements follows:
 - Third Street South: the percentage of windows on the first floor is 34 percent and the percentage of windows on the upper floors of the building is in excess of 10 percent.
 - Ninth Avenue South: the percentage of windows on the first floor is 15 percent and the percentage of windows on the upper floors of the building is in excess of 10 percent. The window openings on this side of the building are existing so although the percentage of windows on the first floor does not meet the minimum requirement no alternative compliance is required.
- The windows are vertical in nature and are evenly distributed along the building walls.
- One-hundred percent of the building frontage along both Third Street South and ninth Avenue South contain active functions.
- The principal roof line of the building will be flat. The majority of the buildings within the neighborhood have flat roofs.

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.**

PLANNING DIVISION RESPONSE:

- The principal entrance to the supportive housing portion of the development opens directly to the public sidewalk along Third Street South. In addition, the entrances to The Council on Crime and Justice and the additional commercial space within the building open directly to the public sidewalk along Third Street South.
- No transit shelters are proposed as part of this development.
- There will be no on-site parking provided.
- There are no public alleys adjacent to the site.
- There is no maximum impervious surface requirement in the B4N zoning district. According to the materials submitted by the applicant 77 percent of the site will be impervious.

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.**

PLANNING DIVISION RESPONSE:

- This site is exempt from the general landscaping and screening requirements of Chapter 530, Site Plan Review as the site is located in the B4N zoning district and the building is larger than 50,000 square feet. Although this site is exempt the Planning Division ran the following calculations:
 - The zoning code requires that at least 20 percent of the site not occupied by the building be landscaped. The lot area of the entire site is 26,567 square feet. The footprint of the buildings is 17,111 square feet. When you subtract the footprint from the lot size the resulting number is 9,456 square feet. Twenty percent of this number is 1,891 square feet. According to the information that was submitted there is approximately 6,142 square feet of landscaping on the site or approximately 65 percent of the site not occupied by the building.
 - The zoning code requires at least 1 canopy tree for each 500 square feet of required green space and at least 1 shrub for each 100 square feet of required green space be planted on the site. The tree and shrub requirement for this site is four and 19 respectively. The applicant is providing a total of zero canopy trees on the site and 186 shrubs on the site. In addition, the applicant is proposing to plant three evergreen trees, 16 ornamental trees and several perennials on the site. The applicant is also proposing to plant 11 canopy trees in the right of way.

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.**

PLANNING DIVISION RESPONSE:

- There will be no on-site parking provided.
- There are no important elements of the city near the site that will be obstructed by the proposed building addition.
- The building addition should have minimal shadowing impacts on the adjacent properties.
- The building addition should have minimal wind effects on the surrounding area.
- The site plan complies with crime prevention design elements as the building entrances are located up to the front property line, there are windows where people can see in and out along all levels of the building, the outdoor open space is enclosed with a fence and dense landscaping around its perimeter and there are lights located near all of the entrances and throughout the grounds.
- This site is neither historically designated nor located in a historic district.

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:

- **Use:** Supportive housing uses require a conditional use permit in the B4N zoning district.
- **Off-Street Parking and Loading:**

Minimum automobile parking requirement: There is no minimum parking requirement for a supportive housing development in the B4N zoning district. No on-site parking is being provided.

Maximum automobile parking requirement: The maximum parking requirement for a supportive housing development in the B4N zoning district is 1.6 parking spaces per dwelling unit. For 101 dwelling units the maximum parking requirement would be 162 spaces. No on-site parking is being provided.

Bicycle Parking: The bicycle parking requirement for a supportive housing development is one space per four beds, not to exceed eight spaces. The bicycle parking requirement for this development is eight. Not less than 90 percent of the required bicycle parking spaces shall meet the standards for long-term bicycle parking. Required long-term bicycle parking spaces shall be located in enclosed and secured or supervised areas providing protection from theft, vandalism and weather and shall be accessible to intended users. Required long-term bicycle parking for residential uses shall not be located within dwelling units or within deck or patio areas accessory to dwelling units. There will be a bicycle storage room provided in the basement of the building that will accommodate a minimum of 25 bicycles. There will also be 12 bike racks provided along Third Street South in front of the building.

Loading: There is no loading space requirement for this development.

- **Maximum Floor Area:** There is no maximum FAR in the B4N zoning district. However, there is a minimum FAR of 2.0 in the B4N zoning district. The lot in question is 26,567 square feet in area. The applicant proposes a total of 91,614 square feet of gross floor area, an FAR of 3.45.
- **Building Height:** Building height in the B4N zoning district is limited to ten stories or 140 feet. The proposed building is five stories or 57 feet. The existing building is four-and-a-half stories or 67 feet in height.
- **Minimum Lot Area:** There is no minimum lot area requirement for a supportive housing development in the B4N zoning district.
- **Dwelling Units per Acre:** The site is .61 acres in size. There are 165.6 dwelling units per acre proposed on the site.
- **Yard Requirements:** The front yard setback requirement along Third Street South and the corner side yard setback requirement along Ninth Avenue South are zero feet in the B4N zoning district. In the B4N zoning district when the use is either residential or a hotel and there are windows facing an interior side or rear property line a setback of $5+2x$, where x equals the number of stories above the first floor, is required. However, the resulting setback shall not be greater than 15 feet. A five story building results in a setback requirement of 13 feet. In this case there is a portion of the rear building wall that is located closer than 13 feet from the property line but there aren't any residential units with windows located in that portion of the building.
- **Specific Development Standards:** Supportive housing facilities are subject to specific development standards:

Supportive housing

Department of Community Planning and Economic Development – Planning Division
BZZ-5226

- Supportive housing shall be located at least one-fourth (1/4) mile from all existing supportive housing and from all of the following uses, except in the B4H Overlay District:
- Community correctional facility.
 - Community residential facility.
 - Inebriate housing.
 - Motel.
 - Overnight shelter.
- The maximum number of persons served shall not exceed thirty-two (32), except in the B4H Overlay District.
- On-site services shall be for residents of the facility only, except where part of a regimen of scheduled post-residential treatment.
- To the extent practical, all new construction or additions to existing buildings shall be compatible with the scale and character of the surroundings, and exterior building materials shall be harmonious with other buildings in the neighborhood.
- An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening, and other site improvements consistent with the character of the neighborhood.
- The operator shall submit a management plan for the facility and a floor plan showing sleeping areas, emergency exits and bathrooms.

With the approval of the rezoning to add the B4H Downtown Housing Overlay to the site the development will be in compliance with these specific development standards.

- **Hours of Operation:** Residential uses are not subject to hours of operation.
- **Signs:** Signs are subject to the requirements of Chapter 543 of the Zoning Code. In the B4N zoning district one can have two-and-a-half square feet of signage for every one foot of primary building wall. Wall signs are limited to 120 square feet in size. Projecting signs are limited to 48 square feet in size. The height limitation for both wall signs and projecting signs is 28 feet. Freestanding signs are limited to 32 square feet and can be no taller than 8 feet. The zoning code also limits the number of freestanding signs on a zoning lot to one. The applicant is proposing to have a 42 square foot sign attached to the top of the metal canopy above the front entrance to the building. The sign will be 14 feet high. The sign will be made out of individual cast aluminum letters.
- **Refuse storage:** There will be a trash and recycling room located on the first floor of the building.
- **Lighting:** A lighting plan showing footcandles was not submitted as part of the application materials. The Planning Division is recommending that the final lighting plan conform to the standards of Chapter 535, Regulations of General Applicability.

MINNEAPOLIS PLAN:

This site is located on Third Street South, between Chicago Avenue and Ninth Avenue South in downtown Minneapolis. Chicago Avenue is a designated Commercial Corridor and Downtown Minneapolis is a designated Grown Center in *The Minneapolis Plan for Sustainable Growth*. The future land use map in *The Minneapolis Plan for Sustainable Growth* designates the site as Mixed Use.

Department of Community Planning and Economic Development – Planning Division
BZZ-5226

According to the principles and polices outlined in *The Minneapolis Plan for Sustainable Growth*, the following apply to this proposal:

- Support the development of residential dwellings that are of high quality design and compatible with surrounding development (Urban Design Policy 10.4).
- Support the development of multi-family residential dwellings of appropriate form and scale (Urban Design Policy 10.5).
- New multi-family development or renovation should be designed in terms of traditional urban building form with pedestrian scale design features at the street level (Urban Design Policy 10.6).
- Design buildings to fulfill light, privacy, and view requirements for the subject building as well as for adjacent properties by building within require setbacks (Implementation Step 10.6.1).
- Provide appropriate physical transition and separation using green space, setbacks or orientation, stepped down height, or ornamental fencing to improve the compatibility between higher density and lower density residential uses (Implementation Step 10.6.3).
- Orient buildings and building entrances to the street with pedestrian amenities like wider sidewalks and green spaces (Implementation Step 10.6.4).
- Street-level building walls should include an adequate distribution of windows and architectural features in order to create visual interest at the pedestrian level (Implementation Step 10.6.5).
- Reduce the visual impact of automobile parking facilities (Urban Design Policy 10.18).

The Planning Division believes that the proposed development is in conformance with the above policies of *The Minneapolis Plan for Sustainable Growth*.

The site is located within the boundaries of the *Update to the Historic Mills District Master Plan* which was adopted by the Minneapolis City Council in September of 2001. The future land use map in the *Update to the Historic Mills District Master Plan* designates the site as mixed use with ground floor commercial and residential above. The plan calls for buildings with a minimum height of four stories and a maximum height of eight or nine stories. The Planning Division believes that the proposed development is in conformance with the recommendations of the *Update to the Historic Mills District Master Plan*.

The site is also located within the boundaries of the *Downtown East/North Loop Master Plan* which was adopted by the Minneapolis City Council in October of 2003. The future land use map in the *Downtown East/North Loop Master Plan* also designates the site as mixed use. The plan calls for building heights between five and 13 stories. The Planning Division believes that the proposed development is in conformance with the recommendations of the *Downtown East/North Loop Master Plan*.

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.

PLANNING DEPARTMENT RESPONSE:

- Alternative compliance is not needed for this development.

RECOMMENDATIONS:

Recommendation of the Community Planning and Economic Development Department – Planning Division for the Rezoning:

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission and the Minneapolis City Council adopt the above findings and **approve** the rezoning of the property located at 822 South 3rd Street to add the B4H Downtown Housing Overlay to the property.

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 findings above and **approve** the conditional use permit to allow a 101-unit supporting housing facility located at 822 South 3rd Street 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. There shall be no more than 101 dwelling units on the property.

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

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the site plan review application for the property located at 822 South 3rd Street subject to the following conditions:

1. The final lighting plan shall conform to the standards of Chapter 535, Regulations of General Applicability.
2. Approval of the final site, elevation, landscaping and lighting plans by the Department of Community Planning and Economic Development – Planning Division.
3. All site improvements shall be completed by October 7, 2012, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

Attachments:

1. Preliminary Development Review report from July 7, 2011, meeting
2. Project description
3. Email regarding changes that have been made since the COW meeting
4. Program description
5. Conditional use permit findings
6. Quarter-mile spacing map
7. July 7, 2011, letter to Council Member Goodman and the Downtown Minneapolis Neighborhood Association
8. Zoning map
9. Site plan, floor plans, elevations and other supporting materials
10. Photos of the site and the surrounding area