

**Department of Community Planning and Economic Development – Planning Division**  
Conditional Use Permit and Site Plan Review  
BZZ-5255

**Date:** September 19, 2011

**Applicant:** Dan Hunt with Corner Apartments, LLC

**Address of Property:** 24 University Avenue NE (Tract G)(corner of First Avenue Northeast and Second Street Northeast)

**Project Name:** Corner Apartments

**Contact Person and Phone:** Gretchen Camp with BKV Group, Inc, (612) 373-9122

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

**Date Application Deemed Complete:** August 22, 2011

**End of 60-Day Decision Period:** October 21, 2011

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

**Ward:** 3      **Neighborhood Organization:** Nicollet Island East Bank Association

**Existing Zoning:** C3A, Community Activity Center District, Pedestrian Oriented (PO) Overlay District and the Mississippi River (MR) Overlay District

**Proposed Zoning:** Not applicable for this development

**Zoning Plate Number:** 14

**Legal Description for 2820 Colfax Avenue South:** Part of Track G, Registered Land Survey Number 1726, Hennepin County, Minnesota.

**Proposed Use:** 94-unit residential development

**Concurrent Review:**

**Conditional use permit:** to amend an existing Planned Unit Development to add a 94-unit multiple-family residential building

**Site plan review**

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

**Background:** The applicant is proposing to construct a 94-unit multiple-family residential building on the site located at the intersection of Second Street Northeast and First Avenue Northeast. The site is currently a surface parking lot. This development will modify an existing Planned Unit Development that spans across three blocks. The original Planned Unit Development was approved in 2000 and an amendment was approved in 2003. The Planned Unit Development includes several commercial uses, office space and many different types of attached housing units.

The Planned Unit Development is made up of three blocks (see the map showing the boundaries of the Planned Unit Development). Block 1 contains several buildings with a mixture of office, commercial and residential uses in them. There are a total of 30 dwelling units located on Block 1. Block 1 is where the proposed development will be constructed. Block 2 is made up of 48 attached townhomes and Block 3 is made up of two condominium buildings with a total of 110 dwelling units and 12 attached townhomes.

The proposed development will be a 10-story multiple-family residential building. The main entrance to the building will be located along First Avenue Northeast and the ground floor units on both First Avenue Northeast and Second Street Northeast will have individual entrances at street level. On top of the building there will be a rooftop deck. The exterior materials include brick, cement board paneling and metal and glass balconies.

Parking for the proposed development will be accommodated in the existing parking ramp located adjacent to the site. A second-story skyway will connect the existing parking ramp to the proposed building. A shared parking analysis is included in the packet for the Planned Unit Development.

**Historical Significance:** The development site is located in the St. Anthony Falls Historic District. The development team brought the project to the Heritage Preservation Commission for a concept review on May 17, 2011. The formal review before the Heritage Preservation Commission was held on July 12, 2011. Actions from the Heritage Preservation Commission meeting are attached to this report. A response memorandum from the applicant in reaction to some of the conditions of approval from the Heritage Preservation Commission is also attached to this report.

**Travel Demand Management Plan (TDMP) and Traffic Impact Statement:** An amendment to the previously approved TDMP was completed for this development. The TDMP concluded that the existing street capacity is adequate to support the traffic that will be generated by this development and the parking supply provided within the existing parking ramp is adequate for the project.

**CONDITIONAL USE PERMIT** - to amend an existing Planned Unit Development to add a 94-unit multiple-family residential building

**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 amending an existing Planned Unit Development to add a 94-unit multiple-family residential building will be detrimental to or endanger the public health, safety, comfort or general welfare. The proposed development will replace a surface parking lot, will provide more “eyes on the street” and will activate the street walls along Second Street Northeast and First Avenue Northeast.

**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 amending an existing Planned Unit Development to add a 94-unit multiple-family residential building would be injurious to the use and enjoyment of other property in the vicinity or impede the normal or orderly development and improvement of surrounding property. Adjacent uses include a mixture of commercial establishments including offices, general retail sales and service uses and restaurants, residential developments of varying densities and a parking ramp. The proposed development will complement the existing uses in the area. Redeveloping the surface parking lot will improve the surrounding area. As a result of the development a pedestrian “alley” will be created that will allow movement from Second Street Northeast through the block and the existing surface parking ramp will undergo facade improvements.

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

The applicant will 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.**

In the C3A zoning district the zoning code requires 1.0 parking space per dwelling unit. For 94 dwelling units the parking requirement would be 94 parking spaces. The parking requirement for the rest of the uses within the Planned Unit Development located on Block 1 is 127 parking spaces. Parking for the proposed development will be accommodated in the existing parking ramp located adjacent to the site. A second-story skyway will connect the existing parking ramp to the proposed building. There are a total of 188 parking spaces available within the parking ramp. The applicant has submitted a shared parking application for this development. The peak parking requirement for the development is 184 parking spaces.

The residential component of this development qualifies for two transit reductions: shared vehicle and proximity to transit. In addition to the proposed 94-unit multiple-family residential building there are 30 existing apartments located on the block. The total parking requirement for all 124 dwelling units is 124 parking spaces. Each transit reduction reduces the parking requirement by 10 percent or 12 parking

spaces. After both transit reductions are calculated the parking requirement for the residential component of the development is 100 parking spaces.

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

The property is located on the northeast corner of Second Street Northeast and First Avenue Northeast. Second Street Northeast is a designated Community Corridor in *The Minneapolis Plan for Sustainable Growth* and the property is located half of a block from East Hennepin Avenue which is a designated Commercial Corridor in *The Minneapolis Plan for Sustainable Growth*. The site is also located in the designated East Hennepin Activity Center. 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:

- Preserve the stability and diversity of the city’s neighborhoods while allowing for increased density in order to attract and retain long-term residents and businesses (Land Use Policy 1.8).
- Promote a range of housing types and residential densities, with highest density development concentrated in and along appropriate land use features (Land Use Policy Implementation Step 1.8.1).
- Through attention to the mix and intensity of land uses and transit service, the City will support development along Community Corridors that enhances residential livability and pedestrian access (Land Use Policy 1.9).
- Encourage the development of low- to medium-density housing on Community Corridors to serve as a transition to surrounding low-density residential areas (Land Use Policy Implementation Step 1.9.5).
- Promote more intensive residential development along Community Corridors near intersections with Neighborhood Commercial Nodes and other locations where it is compatible with existing character (Land Use Policy Implementation Step 1.9.6).
- Encourage the development of medium-density housing on properties adjacent to properties on Commercial Corridors (Land Use Policy Implementation Step 1.10.6).
- Support Activity Centers by preserving the mix and intensity of land uses and by enhancing the design features that give each center its unique urban character (Land Use Policy 1.12).
- Encourage the development of high- to very-high density housing within the boundaries of Activity Centers (Land Use Policy Implementation Step 1.12.6).
- Support district parking strategies in Activity Centers, including shared parking facilities with uniform signage, and other strategies (Land Use Policy Implementation Step 1.12.8).
- Grow by increasing the supply of housing (Housing Policy 3.1).
- Support the development of new medium- and high-density housing in appropriate locations throughout the city (Housing Policy Implementation Step 3.1.1).
- Use planning processes and other opportunities for community engagement to build community understanding of the important role that urban density plays in stabilizing and strengthening the city (Housing Policy Implementation Step 3.1.2).
- 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 (Housing Policy Implementation Step 3.2.1).

In *The Minneapolis Plan for Sustainable Growth* high-density residential developments would have densities ranging between 50 and 120 units per acre and very-high residential developments would have densities over 120 units per acre. The proposed development has a density of 362 dwelling units per acre. However, when the proposed development is combined with the rest of the land and dwelling units on Block 1 of the Planned Unit Development the density would be 60.78 dwelling units per acre. These density calculations are consistent with sites located within the boundaries of a designated Activity Center. The Planning Division believes the proposed development is in conformance with the policies of *The Minneapolis Plan for Sustainable*.

**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 conditional use permit and the site plan review this development will meet the applicable regulations of the C3A, Community Activity Center District, Pedestrian Oriented (PO) Overlay District and the Mississippi River (MR) Overlay District.

**Findings Required for Planned Unit Developments:**

- A. The planned unit development conforms to the applicable standards for alternatives and amenities (see section A below for evaluation).
- B. Additional uses (see section B below for evaluation).
- C. The planned unit development conforms to the required findings for a planned unit development (see section C below for evaluation).

**Section A: Authorized Alternatives and Amenities Provided**

- All planned unit developments shall provide at least one (1) amenity or a combination of amenities that total at least ten (10) points, beyond those required for any alternative(s), and even if no alternative(s) is requested.
- For each alternative requested, an amenity or a combination of amenities totaling at least five (5) points, in addition to the amenity(ies) required in section 527.120(1), shall be provided. For multiple requests of the same alternative only one (1) amenity shall be required for those alternatives.
- Unless otherwise determined by the city planning commission, each phase of the planned unit development shall include the amenities provided for any alternatives in that phase, as a part of the construction of that phase.
- In no case shall any item be counted as an amenity for an alternative if it is utilized to qualify for a density bonus in any zoning district, a floor area ratio premium in the Downtown Districts, or any other amenity in Table 527-1, Amenities.

- **Where an amenity is provided that meets the standards required in Table 527-1, Amenities, the full point value assigned to said amenity shall be obtained. Where the amenity does not meet all of the standards required in Table 527-1, Amenities, no points shall be awarded. Partial points for alternatives shall not be awarded, except as otherwise allowed in Table 527-1, Amenities.**

*Alternatives requested:*

- **Placement and number of principal residential structures:** The proposed building will be constructed on its own lot.
- **Bulk regulations:**

**Maximum Floor Area:** The maximum FAR in the C3A zoning district is 2.7. Within a Planned Unit Development floor area may be spread out amongst the entire development. The size of Block 1 is 88,650 square feet in area. All of Block 1 is zoned C3A. Including the proposed development there is 165,218 square feet of gross floor area, an FAR of 1.86.

**Building Height:** Building height in the C3A zoning district is limited to four stories or 56 feet. The applicant is proposing to construct a building that is ten stories or 122 feet in height which requires an alternative.

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

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

Increasing the height of the proposed building should have minimal impact on the amount of light and air that the surrounding properties receive. The proposed building will be constructed next to a one story office building. As proposed the building will be setback ten feet from the shared property line in order to provide light and air for the adjacent building.

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

Shadow studies have been included as an attachment to the staff report and include shadowing impacts at 9 am, 12 noon and 3 pm during the spring, summer, fall and winter. The shadow study indicates that there will be shadowing cast on the residential properties located across First Avenue Northeast from morning until mid-day during the spring, fall and winter. Although there will be shadows cast on surrounding residential properties they won't be cast for the entire day.

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

The height of the proposed building will be compatible with buildings in the surrounding area. Height of other buildings in the area range between one story and 28 stories. The proposed

building will be constructed next to a one story office building. As proposed the building will be setback ten feet from the shared property line.

The character of the buildings in the neighborhood is varied. Most of the existing commercial buildings in the area were constructed in the early 1900's. Across the street The Falls and The Pinnacle high-rise residential buildings were constructed in the mid-1980's and the existing residential component of the Planned Unit Development were constructed in the early 2000's.

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

The development site is located in the St. Anthony Falls Historic District. The proposed building will be constructed next to the Minneapolis Fire Department Repair Shop which was listed on the National Register of Historic Places in 2005. The proposed building will be setback ten feet from the shared property line in order to provide a transition area between the historic property and the new construction.

- **Lot area requirements:** The minimum lot area per dwelling unit in the C3A zoning district is 400 square feet. With 124 dwelling units on a lot of 88,650 square feet, the applicant proposes 714 square feet of lot area per dwelling unit.
- **Yards:** The front yard setback requirement along both Second Street Northeast and First Avenue Northeast is zero feet. The building will be constructed up to both front property lines. The setback requirement along both interior property lines is  $5+2x$ , where  $x$  equals the number of stories above the first floor, not to exceed 15 feet. The resulting setback for a ten story building is 15 feet. The building is setback 10 feet from the east interior property line and nine feet six inches from the south interior property line, however the skyway connecting the building to the parking ramp reduces the setback to zero feet. In both interior side yards there are also balconies located on floors two through ten that project five feet from the building wall. An alternative is required to reduce the interior setbacks.
- **On-premise signs:** Signs are subject to the requirements of Chapter 543, On-premise Signs. In the C3A zoning district one can have one-and-a-half square feet of signage for every one foot of primary building wall. However, if there is a freestanding sign on the zoning lot then there can only be one square foot of signage for every one foot of primary building wall. Wall signs are limited to 180 square feet in size. Projecting signs are limited to 48 square feet in size. There is no sign height limitation for either wall signs or projecting signs in the C3A zoning district. Freestanding signs are limited to 80 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 30 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.
- **Off-street parking and loading:** In the C3A zoning district the zoning code requires 1.0 parking space per dwelling unit. For 94 dwelling units the parking requirement would be 94 parking spaces. The parking requirement for the rest of the uses within the Planned Unit Development located on Block 1 is 127 parking spaces. Parking for the proposed development will be accommodated in the existing parking ramp located adjacent to the site. A second-story skyway will connect the existing

parking ramp to the proposed building. There are a total of 188 parking spaces available within the parking ramp. The applicant has submitted a shared parking application for this development. The peak parking requirement for the development is 184 parking spaces. There is no loading requirement for a multiple-family development with less than 100 dwelling units

***Points required:***

- Bulk regulations, height – **5 points.**
- Yard, required yards within the Planned Unit Development– **5 points.**
- **Total – 10 points.**

***Amenities provided:*** Staff believes that 12 points worth of amenities are proposed as described below.

Table 527-1 Amenities

The applicant proposes the following amenities from Table 527-1, Amenities:

*Pedestrian Improvements* - The required standards for pedestrian improvements are:

- **A site and building design that allows for exceptional and accessible pedestrian and/or bicycle access through and/or around a site that exceeds the requirements of Chapter 530, Site Plan Review.** The site has been designed with a pedestrian “alley” that runs from Second Street Northeast to the middle of the block. The proposed alley will connect up with an existing walkway that will lead pedestrians from the middle of the block out to either University Avenue Southeast or East Hennepin Avenue. The walkway will be open to the public.
- **The improvements shall use a combination of landscaping, decorative materials, access control and lighting to create a safe, clear and aesthetically pleasing access through and/or around the site that complies with the Americans with Disabilities Act accessibility requirements.** The alley will be made of pervious cobblestone pavers. A pergola will be constructed over the portion of the alley that is adjacent to the proposed building. Overhead lights will be integrated into the pergola and wall mounted light fixtures will be installed along the exterior wall of the existing parking ramp. New landscape materials will be installed in the existing planting beds along the alley.

This provision is worth 3 points.

*Reflective roof* – **Utilize roofing materials for seventy five (75) percent or more of the total roof surface having a Solar Reflectance Index (SRI) equal to or greater than the values as required by the US Green Building Council (USGBC) for low-sloped and steep-sloped roofs.** Reflective roofing materials with a Solar Reflectance Index equal to or greater than that required by the USGBC will be provided for a minimum of 75 percent of the total roof area. This provision is worth 3 points.

*Pet exercise area* – **A pet exercise area shall have a minimum dimension of twelve (12) feet by sixty (60) feet. It shall be enclosed with decorative fencing, include lighting in compliance with Chapter 535, Regulations of General Applicability and provide accommodations for proper disposal of animal waste. The pet exercise area shall not be located in a required yard.** The proposed pet exercise area is nine feet six inches wide by 24 feet long. No other details were provided about the pet exercise area. The Planning Division does not believe that the proposed pet exercise area meets the minimum required standards for this amenity. This provision is worth 0 points.

***Recycling storage area*** – Provide an easily accessible area that serves the entire building and is dedicated to the collection and storage of non-hazardous materials for recycling, including but not limited to paper, corrugated cardboard, glass, plastics and metals. The recycling storage area shall be located entirely below grade or entirely enclosed within the building. There will be a recycling storage area provided on the first floor of the building. The recyclable materials will be collected in bins designated for mixed paper, glass, plastic, metal and cardboard. This provision is worth 1 point.

Amenities proposed by the applicant

The city planning commission may consider other amenities not listed in Table 527-1, Amenities, that are proportionally related to the alternative requested. The commission may assign 1, 5, or 10 points based on the proportionality. The applicant is proposing three other amenities:

***Façade improvement to adjacent garage*** – The applicant is proposing to make modifications to the existing parking ramp that was constructed as part of the original Planned Unit Development. The applicant is proposing to attach metal panels to the front wall of the parking ramp facing Second Street Northeast. The metal panels will provide a decorative element to the exterior of the parking ramp. Along the first level of the parking ramp the metal panels will provide a medium for climbing vines, which the applicant is proposing to plant along the foundation of the parking ramp for the entire length of Second Street Northeast. The applicant is requesting 5 points for this amenity.

***Phasing plan.*** – This development will modify an existing Planned Unit Development that spans across three blocks. The original Planned Unit Development was approved in 2000 and an amendment was approved in 2003. The proposed building will be constructed on the last vacant parcel of the land within the Planned Unit Development.

**Section B: Additional Uses**

- **In general.** The city planning commission may authorize additional uses in the zoning district in which the planned unit development is located as provided below and subject to section 527.210. An amenity is not required in order to allow an additional use.
- **Residence and OR1 Districts.** The city planning commission may authorize additional residential uses, small neighborhood serving retail sales and services uses as allowed in the OR2 and OR3 Districts, child care centers, offices and clinics within a planned unit development located in the Residence and OR1 Districts. The additional small neighborhood serving retail sales and services uses as allowed in the OR2 and OR3 Districts, child care centers, offices and clinics shall not exceed two thousand (2,000) square feet per use, unless otherwise allowed by the zoning district in which the use is located.
- **OR2 and OR3 Districts.** The city planning commission may authorize additional residential uses and retail sales and services uses as allowed in the C1 District within planned unit developments located in the OR2 and OR3 Districts. Notwithstanding section 547.30(f)(2) and (3), the city planning commission may authorize retail sales and services uses greater than two thousand (2,000) square feet, but not to exceed four thousand (4,000) square feet per use. The city planning commission may allow more than two (2) such retail sales and services uses per zoning lot.

Additional uses are not proposed.

**Section C: Conformance with Required Planned Unit Development Findings**

In addition to the conditional use permit standards contained in Chapter 525, Administration and Enforcement, before approval of a planned unit development the city planning commission also shall find:

**1. That the planned unit development complies with all of the requirements and the intent and purpose of this chapter. In making such determination, the following shall be given primary consideration:**

**a. The character of the uses in the proposed planned unit development, including in the case of residential uses, the variety of housing types and their relationship to other site elements and to surrounding development.**

A multiple-family residential development with 94 dwelling units is proposed. The mix of units includes studio, one and two-bedrooms. Adjacent uses include a mixture of commercial establishments including offices, general retail sales and service uses and restaurants, residential developments of varying densities and a parking ramp. The proposed development will complement the existing uses in the area.

**b. The traffic generation characteristics of the proposed planned unit development in relation to street capacity, provision of vehicle access, parking and loading areas, pedestrian access, bicycle facilities and availability of transit alternatives.**

An amendment to the previously approved TDMP was completed for this development. The TDMP concluded that the existing street capacity is adequate to support the traffic that will be generated by this development and the parking supply provided within the existing parking ramp is adequate for the project.

Parking for the proposed development will be accommodated in the existing parking ramp located adjacent to the site. A second-story skyway will connect the existing parking ramp to the proposed building. There are a total of 188 parking spaces available within the parking ramp. The applicant has submitted a shared parking application for this development. The peak parking requirement for the development is 184 parking spaces.

There will be three bicycle storage locations provided within the development. On the first floor of the building there will be a bicycle storage room that will accommodate 22 bicycles. Another bicycle storage room will be provided on the second level of the existing parking ramp that will also accommodate an additional 22 bicycles. And lastly there will be a bicycle rack provided near the main entrance to the building along First Avenue Northeast. This bicycle rack will accommodate up to eight bicycles.

As for transit alternatives there are numerous bus routes that run through the immediate area. There are also on-street bicycle lanes provided in the area. In addition there are two Nice Ride bicycle stations provide within blocks of the site.

- c. **The site amenities of the proposed planned unit development, including the location and functions of open space, the preservation or restoration of the natural environment or historic features, sustainability and urban design.**

The site amenities include pedestrian improvements, reflective roofing, recycling storage area and facade improvement to the adjacent parking garage.

- d. **The appearance and compatibility of individual buildings and parking areas in the proposed planned unit development to other site elements and to surrounding development, including but not limited to building scale and massing, microclimate effects of the development, and protection of views and corridors.**

The proposed development will be a 10-story multiple-family residential building. The main entrance to the building will be located along First Avenue Northeast and the ground floor units on both First Avenue Northeast and Second Street Northeast will have individual entrances at street level. On top of the building there will be a rooftop deck. The exterior materials include brick, cement board paneling and metal and glass balconies. Parking for the proposed development will be accommodated in the existing parking ramp located adjacent to the site. A second-story skyway will connect the existing parking ramp to the proposed building.

The height of the proposed building will be compatible with buildings in the surrounding area. Height of other buildings in the area range between one story and 28 stories. The proposed building will be constructed next to a one story office building. As proposed the building will be setback ten feet from the shared property line in order to provide light and air for the adjacent building.

- e. **An appropriate transition area shall be provided between the planned unit development and adjacent residential uses or residential zoning that considers landscaping, screening, access to light and air, building massing, and applicable policies of the comprehensive plan and adopted small area plans.**

The development site is not located adjacent to a residential use or properties with residential zoning.

- f. **The relation of the proposed planned unit development to existing and proposed public facilities, including but not limited to provision for stormwater runoff and storage, and temporary and permanent erosion control.**

The applicant will 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. The City of Minneapolis will review and approve the applicant's stormwater management plan and erosion control plan.

- g. The consideration, where possible, of sustainable building practices during the construction phases and the use of deconstruction services and recycling of materials for the demolition phase.**

The proposed development will replace a surface parking lot so there will be no deconstruction of existing buildings. During construction waste generated during construction will be recycled.

- 2. That the planned unit development complies with all of the applicable requirements contained in Chapter 598, Land Subdivision Regulations.**

The platting of the site is in compliance with Chapter 598, Land Subdivision Regulations.

### **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.

Minimum window area at the first or ground level shall be measured between two (2) and ten (10) feet above the adjacent grade. Minimum window area on walls above the first floor shall be measured between the upper surface of a floor and the upper surface of the floor above.

- 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 at the first or ground level shall be measured between two (2) and ten (10) feet above the adjacent grade. Minimum window area on walls above the first floor shall be measured between the upper surface of a floor and the upper surface of the floor above.**

- **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.**
- **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 DEPARTMENT RESPONSE:**

- The building reinforces the street wall, facilitates pedestrian access and maximizes natural surveillance. The building is set up to the front property lines along both Second Street Northeast and First Avenue Northeast, there are entrances and exits at street level that can be accessed by residents and guests and there are large windows and balconies on all sides of the development that maximize the opportunities for people to observe adjacent spaces and the public sidewalks.
- The building walls fronting along both Second Street Northeast and First Avenue Northeast are being built up to the property lines.
- The main entrance to the building will be located along First Avenue Northeast and the ground floor units on both First Avenue Northeast and Second Street Northeast will have individual entrances at street level.
- Parking for the proposed development will be accommodated in the existing parking ramp located adjacent to the site. A second-story skyway will connect the existing parking ramp to the proposed building.
- The exterior materials of the structure include brick, cement board paneling and metal and glass balconies. The sides and rear of the building are similar to and compatible with the front of the building.
- There are no areas of the development that are over 25 feet in length and void of windows, entries, recesses or projections, or other architectural elements.
- At least 20 percent of the first floor and at least 10 percent of the upper floors of the First Avenue Northeast and Second Street Northeast sides of the building are required to be windows. The project's compliance with these requirements is as follows:
  - First Avenue Northeast: the percentage of windows on the first floor of the building is 21 percent and the percentage of windows on the upper levels of the building exceeds 10 percent.

- Second Street Northeast: the percentage of windows on the first floor of the building is 20 percent and the percentage of windows on the upper levels of the building exceeds 10 percent.
- The windows in the development are vertical in nature and are evenly distributed along the building walls.
- The entire building frontage along both First Avenue Northeast and Second Street Northeast contain active functions.
- The principal roof line of the building will be flat. There is a mixture of flat and pitched roofed buildings in the area.

**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 DEPARTMENT RESPONSE:**

- All of the entrances leading into the building are directly connected to the public sidewalks.
- No transit shelters are proposed as part of this development.
- Parking for the proposed development will be accommodated in the existing parking ramp located adjacent to the site. A second-story skyway will connect the existing parking ramp to the proposed building.
- There is no public alley located on this block.
- There is no maximum impervious surface requirement in the C3A zoning district. According to the materials submitted by the applicant 88 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 DEPARTMENT RESPONSE:**

- The zoning code requires that at least 20 percent of the site not occupied by the building be landscaped. The lot area of the site is 11,135 square feet. The footprint of the buildings is 8,960 square feet. When you subtract the footprint from the lot size the resulting number is 2,175 square feet. Twenty percent of this number is 435 square feet. According to the applicant's landscaping plan there is 68 square feet of landscaping on the site or approximately three percent of the site not occupied by the building. The Planning Division believes that strict adherence to the requirements is impractical given the size of the site and the footprint of the building. There is only ten feet of open space provided between the proposed building and the two adjacent structures. The open space area next to the adjacent office building is being used as a pedestrian "alley" that runs from Second Street Northeast to the middle of the block. The proposed alley will connect up with an existing walkway that will lead pedestrians from the middle of the block out to either University Avenue Southeast or East Hennepin Avenue. And the open space area next to the adjacent parking ramp is being used as a service drive for trash and recycling. The pet exercise run will also be located in this area.
- 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 one and five respectfully. The applicant is proposing to have zero canopy trees and three shrubs on the site. The Planning Division believes that strict adherence to the requirements is impractical given the size of the site and the footprint of the building. There is only ten feet of open space provided between the proposed building and the two adjacent structures. The Planning Division does not believe that ten feet would provide adequate room in which to grow a canopy tree. However, the Planning Division believes that there is enough room on the site to plant five shrubs and is recommending that this be a condition of approval.

**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 DEPARTMENT RESPONSE:**

- Parking for the proposed development will be accommodated in the existing parking ramp located adjacent to the site. A second-story skyway will connect the existing parking ramp to the proposed building.
- The proposed building will be constructed next to the Minneapolis Fire Department Repair Shop which was listed on the National Register of Historic Places in 2005. The proposed building will be setback ten feet from the shared property line in order to provide a transition area between the historic property and the new construction.
- Shadow studies have been included as an attachment to the staff report and include shadowing impacts at 9 am, 12 noon and 3 pm during the spring, summer, fall and winter. The shadow study indicates that there will be shadowing cast on the residential properties located across First Avenue Northeast from morning until mid-day during the spring, fall and winter. Although there will be shadows cast on surrounding residential properties they won't be cast for the entire day.
- This development should have minimal wind effects on the surrounding area.
- The site plan complies with crime prevention design elements as there are walkways that direct people to the building entrances, there are large windows and balconies on all sides of the building that maximize the opportunities for people to observe adjacent spaces and the public sidewalks and there are lights located near all of the pedestrian entrances and along the pedestrian alley.
- The development site is located in the St. Anthony Falls Historic District. The development team brought the project to the Heritage Preservation Commission for a concept review on May 17, 2011. The formal review before the Heritage Preservation Commission was held on July 12, 2011. Actions from the Heritage Preservation Commission meeting are attached to this report.

**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:** Planned Unit Developments require a conditional use permit in the C3A zoning district.
- **Off-Street Parking and Loading:**

**Minimum automobile parking requirement:** In the C3A zoning district the zoning code requires a minimum of 1.0 parking space per dwelling unit. For 94 dwelling units the parking requirement would be 94 spaces. The parking requirement for the rest of the uses within the Planned Unit Development located on Block 1 is 127 parking spaces. Parking for the proposed development will be accommodated in the existing parking ramp located adjacent to the site. A second-story skyway will connect the existing parking ramp to the proposed building. There are a total of 188 parking spaces available within the parking ramp. The applicant has submitted a shared parking application for this development. The peak parking requirement for the development is 184 parking spaces.

The residential component of this development qualifies for two transit reductions: shared vehicle and proximity to transit. In addition to the proposed 94-unit multiple-family residential building there are 30 existing apartments located on the block. The total parking requirement for all 124 dwelling units is 124 parking spaces. Each transit reduction reduces the parking requirement by 10 percent or 12 parking spaces. After both transit reductions are calculated the parking requirement for the residential component of the development is 100 parking spaces.

**Maximum automobile parking requirement:** There is no maximum parking for dwellings in the C3A zoning district.

**Bicycle Parking:** The bicycle parking requirement for a multiple-family development is one space per two dwelling units. The bicycle parking requirement for this development is 47 spaces. 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. In total, 42 of the required bicycle parking spaces need to be enclosed.

There will be three bicycle storage locations provided within the development. On the first floor of the building there will be a bicycle storage room that will accommodate 22 bicycles. Another bicycle storage room will be provided on the second level of the existing parking ramp that will also accommodate an additional 22 bicycles. And lastly there will be a bicycle rack provided near the main entrance to the building along First Avenue Northeast. This bicycle rack will accommodate up to eight bicycles.

**Loading:** There is no loading requirement for a multiple-family development with less than 100 dwelling units.

- **Maximum Floor Area:** The maximum FAR in the C3A zoning district is 2.7. Within a Planned Unit Development floor area may be spread out amongst the entire development. The size of Block

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1 is 88,650 square feet in area. All of Block 1 is zoned C3A. Including the proposed development there is 165,218 square feet of gross floor area, an FAR of 1.86.

- **Building Height:** Building height in the C3A zoning district is limited to four stories or 56 feet. The applicant is proposing to construct a building that is ten stories or 122 feet in height. An alternative is required to increase the maximum height.
- **Minimum Lot Area:** The minimum lot area per dwelling unit in the C3A zoning district is 400 square feet. With 124 dwelling units on a lot of 88,650 square feet, the applicant proposes 714 square feet of lot area per dwelling unit.
- **Dwelling Units per Acre:** The site is .26 acres in size. The proposed development has a density of 362 dwelling units per acre. However, when the proposed development is combined with the rest of the land and dwelling units on Block 1 of the Planned Unit Development the density would be 60.78 dwelling units per acre as the site is 2.04 acres in size and a total of 124 dwelling units.
- **Yard Requirements:** The front yard setback requirement along both Second Street Northeast and First Avenue Northeast is zero feet. The building will be constructed up to both front property lines. The setback requirement along both interior property lines is  $5+2x$ , where  $x$  equals the number of stories above the first floor, not to exceed 15 feet. The resulting setback for a ten story building is 15 feet. The building is setback 10 feet from the east interior property line and nine feet six inches from the south interior property line, however the skyway connecting the building to the parking ramp reduces the setback to zero feet. In both interior side yards there are also balconies located on floors two through ten that project five feet from the building wall. An alternative is required to reduce the interior setbacks.
- **Specific Development Standards:** The specific development standard for a planned unit development says that the development shall conform to the standards of Chapter 527, Planned Unit Development.
- **Hours of Operation:** Residential uses are not subject to hours of operation.
- **Signs:** Signs are subject to the requirements of Chapter 543, On-premise Signs. In the C3A zoning district one can have one-and-a-half square feet of signage for every one foot of primary building wall. However, if there is a freestanding sign on the zoning lot then there can only be one square foot of signage for every one foot of primary building wall. Wall signs are limited to 180 square feet in size. Projecting signs are limited to 48 square feet in size. There is no sign height limitation for either wall signs or projecting signs in the C3A zoning district. Freestanding signs are limited to 80 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 30 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.
- **Refuse storage:** There will be a trash and recycling storage area provided on the first floor of the building.

- **Lighting:** A lighting plan showing footcandles was not submitted as part of the application materials.

**MINNEAPOLIS PLAN:**

The property is located on the northeast corner of Second Street Northeast and First Avenue Northeast. Second Street Northeast is a designated Community Corridor in *The Minneapolis Plan for Sustainable Growth* and the property is located half of a block from East Hennepin Avenue which is a designated Commercial Corridor in *The Minneapolis Plan for Sustainable Growth*. The site is also located in the designated East Hennepin Activity Center. 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:

- Ensure appropriate transitions between uses with different size, scale and intensity (Land Use Policy 1.2).
- Ensure that development plans incorporate appropriate transportation access and facilities, particularly for bicycle, pedestrian, and transit (Land Use Policy 1.3).
- Support the development of residential dwellings that are of high quality design and compatible with surrounding development (Urban Design Policy 10.4).
- Maintain and strengthen the architectural character of the city's various residential neighborhoods (Urban Design Policy implementation Step 10.4.1).
- 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 required setbacks (Urban Design Policy 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 (Urban Design Policy Implementation Step 10.6.3).
- Orient buildings and building entrances to the street with pedestrian amenities like wider sidewalks and green spaces (Urban Design Policy 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 (Urban Design Policy Implementation Step 10.6.5).
- Integrate transit facilities and bicycle parking amenities into the site design (Urban Design Policy Implementation Step 10.6.6).
- Provide sufficient lighting to reflect community character, provide a comfortable environment in a northern city and promote environmentally friendly lighting systems (Urban Design Policy 10.17).

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

**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:**

- **The zoning code requires that at least 20 percent of the site not occupied by the building be landscaped.** The lot area of the site is 11,135 square feet. The footprint of the buildings is 8,960 square feet. When you subtract the footprint from the lot size the resulting number is 2,175 square feet. Twenty percent of this number is 435 square feet. According to the applicant’s landscaping plan there is 68 square feet of landscaping on the site or approximately three percent of the site not occupied by the building. The Planning Division believes that strict adherence to the requirements is impractical given the size of the site and the footprint of the building. There is only ten feet of open space provided between the proposed building and the two adjacent structures. The open space area next to the adjacent office building is being used as a pedestrian “alley” that runs from Second Street Northeast to the middle of the block. The proposed alley will connect up with an existing walkway that will lead pedestrians from the middle of the block out to either University Avenue Southeast or East Hennepin Avenue. And the open space area next to the adjacent parking ramp is being used as a service drive for trash and recycling. The pet exercise run will also be located in this area.
- **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 one and five respectfully. The applicant is proposing to have zero canopy trees and three shrubs on the site. The Planning Division believes that strict adherence to the requirements is impractical given the size of the site and the footprint of the building. There is only ten feet of open space provided between the proposed building and the two adjacent structures. The Planning Division does not believe that ten feet would provide adequate room in which to grow a canopy tree. However, the Planning Division believes that there is enough room on the site to plant five shrubs and is recommending that this be a condition of approval.

**RECOMMENDATIONS**

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the conditional use permit application to amend an existing Planned Unit Development to add a 94-unit multiple-family residential building located at 24 University Avenue NE (Tract G) 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. As required by section 527.120 of the zoning code, the development shall comply with the standards for some combination of the following amenities from Table 527-1, Amenities and those proposed by the applicant totaling a minimum of 10 points: pedestrian improvements, reflective roofing, recycling storage area and facade improvement to the adjacent parking garage.
3. At least 75 percent or more of the total roof surface shall have a Solar Reflectance Index (SRI) equal to or greater than the values as required by the US Green Building Council (USGBC) for low-sloped and steep-sloped roofs.
4. There shall be a minimum of 47 bicycle parking spaces provided in the building.

**Recommendation of the Department of Community Planning and Economic Development – Planning Division for the 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 site plan review for the property located at 24 University Avenue NE (Tract G) subject to the following conditions:

1. Approval of the final site, landscaping, elevation and lighting plans by the Community Planning and Economic Development Department – Planning Division.
2. All site improvements shall be completed by September 19, 2013, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
3. There shall be at least five shrubs provided on the site as required by Section 530.120 of the zoning code.

**Attachments:**

1. Preliminary Development Review report from July 20, 2011
2. Project narrative
3. Map showing the boundaries of the Planned Unit Development
4. Planned Unit Development FAR calculation

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5. Unit matrix
6. Conditional use permit findings and Planned Unit Development information
7. Travel Demand Management Plan Amendment
8. Parking summary and shared parking calculations
9. July 26, 2011, email to Council Member Hofstede and the Nicollet Island East Bank Neighborhood Association
10. Comment letters about the development
11. July 23, 2011, actions from the Heritage Preservation Commission
12. August 23, 2011, response memorandum in reaction to some of the conditions of approval from the Heritage Preservation Commission with pictures
13. Zoning Map
14. Civil plans, site plan, landscaping plans, floor plans and elevations
15. Shadow study
16. Photos of the site and the surrounding area