

**Department of Community Planning and Economic Development—Planning Division  
Conditional Use Permit  
BZZ-2114**

**Hearing Date:** 12/13/04

**Applicant:** American Indian Community Development Corporation, 2020 Bloomington, Mpls., MN 55404

**Address of Property:** 1400 E. Franklin Ave.

**Project Name:** Many Rivers West (phase two of project, Many Rivers East is phase one)

**Contact Person and Phone:** Lisa Kugler, 4737 Garfield Ave. S., Mpls., MN 55409, voice: 612-827-2189, fax: 612-824-8672, lisakugler@aol.com

**Staff Contact Person and Phone:** J. Michael Orange, Principal Planner. Phone: 612-673-2347; facsimile: 673-2728; TDD: 673-2157; e-mail: [michael.orange@ci.minneapolis.mn.us](mailto:michael.orange@ci.minneapolis.mn.us)

**Date Application Deemed Complete:** 11/23/04

**End of 60-Day Decision Period:** 1/22/05

**End of 120-Day Decision Period:** N/A

**Ward:** 6      **Neighborhood Organization:** Phillips/Ventura Village Neigh. Group

**Existing Zoning:** C2, Neighborhood Corridor Commercial District

**Zoning Plate Number:** 32

**Proposed Use:** Amendment of the existing conditional use permit by American Indian Community Development Corporation to change space that was approved on 4/18/01 for community rooms for the residents of the Many Rivers West project to two additional units. This would increase the allowable number of units from 26 to 28.

**Prior approvals:** Refer to Attachment 5.

**Concurrent Review:** Amendment of the existing conditional use permit

**Applicable zoning code provisions:** Chapter 548, Commercial Districts.

**Background:** The applicant's description follows: "Many Rivers West is the second phase of the Many Rivers development on East Franklin just west of Bloomington Avenue. The entire project, consisting of 76 units in two buildings, was approved by the Planning Commission and

**If you need more information or have special needs, please call the  
Minneapolis Planning Department at 612-673-2597.**

**Department of Community Planning and Economic Development—Planning Division  
Conditional Use Permit, BZZ-2114**

the City Council in July, 2002. Many Rivers East, with 50 units, was completed and occupied in July 2003.

“Construction is masonry to the first floor and wood frame above. The exterior finish will be rock face block stucco and vinyl lap siding. It is a four story building with 5, 495 square feet of commercial space on the first floor and 28 one, two and three bedroom units.

“This request is to increase the number of units from 26 to 28. This is accomplished by eliminating one of the community/play spaces inside the building “tower” and substituting two one-bedroom units. . . . The developer is American Indian Community Development Corporation, which developed Many Rivers East (under its former name, American Indian Housing and Community Development Corporation) and various other rental and ownership projects within the Phillips Neighborhood.”

Planning staff have received no comment to date from the neighborhood groups.

## **CONDITIONAL USE PERMIT**

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

The Community Planning and Economic Development—Planning Division has analyzed the application and from the findings above concludes that the establishment, maintenance, or operation of the proposed conditional use:

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

The applicant’s statement follows: “The development of an apartment building with commercial space on the first floor on the commercial corridor side is a desirable type of development, has been developed on similar sites in many locations around the city, eliminates vacant underutilized land and deteriorated commercial property, and provides needed and primarily affordable housing. The proposed development will have a positive impact on the public health, safety, comfort and general welfare. The increase from 26 to 28 units provides additional housing and does not otherwise change the development.” Planning staff concur with this assessment.

**2. Will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.**

The applicant’s statement follows: “The proposed multifamily development has been carefully designed to have a positive impact on the use and enjoyment of other property in the vicinity and meet the neighborhood’s plan for mixed-use development along the East Franklin commercial corridor. The construction and operation of this building does not impede the normal and orderly development and improvement of the surrounding residential properties zoned R-1 and R-2, and does not impede the normal and orderly

development and improvement of properties along East Franklin which are generally zoned C-1 and C-2.” The increase of two dwelling units in this project will be compatible with the surrounding residential and commercial uses.

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

Adequate access roads, parking, and drainage will be provided. There is sufficient parking on site for the residents and their visitors. There is excellent bus service along Franklin Ave. The applicant’s statement follows: “Adequate utilities and access roads already exist to serve Man Rivers West and the addition of two units does not necessitate any change in the site plan, utilities, or services to the project. The project will provide the necessary drainage to serve the site.”

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

Adequate measures will be provided to minimize traffic congestion. The applicant’s response follows: “The project replaces two alleys, one which opened into East Franklin, with one curb cut opening off 14th Avenue South. The project provides adequate underground parking for residents and on-grade parking for the commercial space.”

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

Applicable policies of the *Minneapolis Plan* and the City’s Eight Goals:

- a. **The City’s Goals (selected goal):** Increase the City’s population and tax base by developing and supporting housing choices city-wide through preservation of existing housing and new construction.
- b. **The *Minneapolis Plan* (adopted by the City Council in 2000):**

**Policy 4.1: Minneapolis will grow by increasing its supply of housing.**

**Implementation Steps (selected):**

- Support the development of new medium- and high-density housing in appropriate locations throughout the City (refer to Policy 9.1).
- Support the development of infill housing on vacant lots. Use partnerships and incentives to reduce city subsidy level and duration of vacancy.

**Policy 4.2: Minneapolis will improve the availability of housing options for its residents.**

**Implementation Steps (selected):**

- Increase the variety of housing styles and affordability levels available to prospective buyers and renters.
- Provide and maintain moderate and high-density residential areas.
- Provide and maintain areas that are predominantly developed with single and two family structures.
- Promote the development of housing suitable for people and households in all life stages, and that can be adapted to accommodate changing housing needs over time.

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

**Implementation Steps (selected):**

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

**Policy 4.4: Minneapolis will carefully identify project sites where housing redevelopment or housing revitalization are the appropriate responses to neighborhood conditions and market demand.**

**Implementation Steps (selected):**

- Maintain and strengthen the architectural character of the city's various residential neighborhoods.

**Policy 9.1: Minneapolis will support the development of residential dwellings of appropriate form and density.**

**Implementation Steps (selected):**

- Promote the development of well designed moderate density residential dwellings adjacent to one or more of the following land use features: Growth Centers, Commercial Corridors, Community Corridors and Activity Centers.

**Policy 9.8: Minneapolis will maintain and strengthen the character of the city's various residential areas.**

**Implementation Steps (selected):**

- Infill development standards must reflect the setbacks, orientation, pattern, materials, height and scale of surrounding one and two family dwellings.
- Create traditional setbacks, orientations, pattern, height and scale of dwellings in areas where no clear architectural pattern exists.

**Policy 9.9: Minneapolis will support efforts that recognize both the increased visibility and importance of corner properties and the role of gateways in enhancing traditional neighborhood character.**

**Implementation Steps (selected):**

- Require site plan review of new development or major additions to new structures (other than single family homes) on corner properties.

**Policy 9.10: Minneapolis will preserve and enhance the quality of living in residential neighborhoods, regulate structures and uses which may affect the character or desirability of residential areas, encourage a variety of dwelling types and locations and a range of population densities, and ensure amenities, including light, air, privacy and open space.**

**Implementation Steps (selected):**

- Apply the form and density approach within the context of a neighborhood or a site and within the framework of The *Minneapolis Plan* and NRP Plans when evaluating the appropriateness of development proposals for specific sites.

**Policy 9.11: Minneapolis will promote increased housing production in designated areas of the City in order to accommodate population growth.**

**Implementation Steps (selected):**

- Use both infill development and new development opportunities to increase housing in the city.
- Consistent with the City of Minneapolis adopted Housing Principles, develop strategies so that the variety of housing types throughout the city and its communities shall be increased, giving prospective buyers and renters greater choice in where they live.
- Develop an approach to residential development which combines housing form and housing density; for example, medium density residential development may be a townhouse development as well as a high-rise structure, while an attached dwelling form may result in a low density development or a medium density development.
- Ensure that new development projects incorporate a mix of housing types and affordability levels to reach a range of housing submarkets.

- c. **Petition's Consistency with City Plans and Policies:** The following describes how the petition relates to the above plans and policies and the Zoning Code:
- Consistent with the applicable City Goal and Policies 4.1, 4.2, the project provides new home ownership possibilities in a residential area of the City and will transform an underutilized site into 28 units of housing.
  - This is a high-density development at 51 units per acre which, with the below-grade parking bonus, is allowable within the density limits imposed by the C2 zoning district.
  - At 4 stories and 56 ft. in height, the design, massing, and bulk, of the project are compatible with the character of the mixed residential and commercial neighborhood consistent with Policy 9.8, 9.11, and 9.12.
  - The plan designates Franklin Ave. as a Commercial Corridor. As such medium-to-high density housing is an appropriate use, per Policy 4.3, 4.16 and 9.1.
6. **And does in all other respects conform to the applicable regulations of the district in which it is located.**

## RECOMMENDATIONS

**Conditional Use Permit:** The Community Planning and Economic Development—Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the conditional use permit application for the Many Rivers West Project located at 1400 Franklin Ave. E.

## ATTACHMENTS

- 1) Zoning and lot lines in the area
- 2) Aerial photo
- 3) Submission from the applicant
- 4) Plans and elevations
- 5) Prior actions
- 6) Zoning data sheet