

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permits, Variances, Site Plan Review and Preliminary Plat
BZZ-3915 and PL-178

Date: February 25, 2008

Applicant: Capital Growth Madison Marquette

Address of Property: 1301 West Lake Street, 1311 West Lake Street, 3008 Fremont Avenue South, 3012 Fremont Avenue South, 1323 West Lake Street, 1401 West Lake Street, 1409 West Lake Street, 3003 Hennepin Avenue, 3027 Hennepin Avenue, 3037 Hennepin Avenue, 3043 Hennepin Avenue and 3045 Hennepin Avenue

Project Name: Calhoun Square

Contact Person and Phone: Carol Lansing with Faegre & Benson LLP, (612) 766-7005

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

Date Application Deemed Complete: January 16, 2008

End of 60-Day Decision Period: March 16, 2008

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

Ward: 10 Neighborhood Organization: Calhoun Area Residents Action Group, East Calhoun Community Organization, East Isles Residents Association, Lowry Hill East Neighborhood Association

Existing Zoning: C3A, Community Activity Center District with the PO Pedestrian Oriented Overlay District

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 24

Legal Description (properties to be rezoned): Not applicable for this application

Proposed Use: Planned Commercial Development including approximately 239,184 square feet of commercial space and 108 dwelling units

Concurrent Review:

Conditional use permit: Planned Commercial Development including approximately 239,184 square feet of commercial space and 108 dwelling units

Conditional use permit: for 108 dwelling units

Conditional use permit: for a shopping center

Conditional use permit: for a major sports and health facility

Conditional use permit: for extended hours for the major sports and health facility

Variance: of the PO Pedestrian Oriented Overlay District

Variance: to increase the gross floor area of individual retail sales and services spaces within the shopping center from the maximum 4,800 square feet

Site plan review

Preliminary Plat (PL-178)

Applicable zoning code provisions: Chapter 525, Article VII, Conditional Use Permits, Chapter 525, Article IX, Variances, specifically Section 525.520(20) “to vary the standards of any overlay district...” and Section 525.520(3) “to vary the gross floor area, the floor area ratio and seating requirements of a structure or use”, Chapter 530, Site Plan Review, Chapter 598, Land Subdivision Regulations

Background: In December of 2005 the Minneapolis City Planning Commission reviewed a development proposal for Calhoun Square. The Planning Commission approved a rezoning for the properties located at 1301 and 1311 West Lake Street from C2 to C3A, a conditional use permit for a Planned Commercial Development including approximately 245,763 square feet of commercial and office space and 108 dwelling units, a conditional use permit for a shopping center, a conditional use permit for 108 dwelling units, a conditional use permit for a parking ramp expansion, a conditional use permit for 24-hour operations of the parking ramp, a variance to increase the gross floor area of six individual retail sales and services uses within the shopping center from the maximum 9,600 square foot limitation, site plan review, an alley vacation and a preliminary plat. Although some of the application approvals were appealed by the Calhoun Area Residents Action Group the Minneapolis City Council ultimately approved the project in January of 2006.

Since the approvals were granted the ownership of Calhoun Square has changed hands. The new owner, ROF Calhoun Square, LLC, along with The Norman J. Ackerberg Irrevocable Trust F/B/O Lisette Ackerberg, who owns one underlying parcel of land near the intersection of Hennepin Avenue South and West Lake Street, has hired Capital Growth Madison Marquette as the developers for their new project proposal. Although the general concept for the redevelopment is similar to what was approved previously, enough has changed to warrant another review by the City of Minneapolis. One component of the original approval that has not changed is the expansion of the parking ramp and its 24 hour operations. Since the approvals were granted in 2006 the parking ramp has been open to the public 24 hours a day, seven days a week. In addition, the applicant has submitted a building permit for the parking ramp expansion that is in compliance with the approvals from 2006. Construction is expected to begin soon.

As part of the approvals in 2006 the northern portion of the public alley, located on the block between Fremont Avenue South and vacated Girard Avenue South, was vacated and a new leg of the alley was approved to be built leading out towards Fremont Avenue South. The alley was never reconfigured per the approvals of the City Council. As part of this development the alley needs to be rebuilt per the 2006 approvals in order for there to not be a dead-end alley on the block.

Calhoun Square is an existing shopping center located on the southeast corner of the intersection of West Lake Street and Hennepin Avenue South in the middle of the area known as Uptown in Minneapolis. The proposed development site encompasses more land than the actual shopping center building does today. The development site includes the entire block bounded by West Lake Street on

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the north, Hennepin Avenue on the west, West 31st Street on the south and vacated Girard Avenue South on the east. The site also includes the entire west half of the block located on the east side of vacated Girard Avenue South and the properties located on the southwest corner of West Lake Street and Fremont Avenue South including 1301 and 1311 West Lake Street and 3008 and 3012 Fremont Avenue South.

The redevelopment of the site will happen in two phases. The first phase involves the rehabilitation and expansion of the existing shopping center including the demolition of three existing buildings. Two of the buildings that will be demolished are located along West Lake Street just west of vacated Girard Avenue South and the other is located along Hennepin Avenue South just south of the shopping center. In addition, portions of the shopping center itself will be demolished. The first phase also includes improvements to vacated Girard Avenue South, street enhancements around the entire site and other façade improvements to those portions of the existing shopping center that will remain. The second phase of the development includes the demolition of two additional buildings located on the corner of Hennepin Avenue South and West 31st Street and the construction of two new mixed-use buildings with underground parking. One of the new buildings is located on the corner of Hennepin Avenue South and West 31st Street and the other is located along West Lake Street between Fremont Avenue South and vacated Girard Avenue South.

The proposed mix of uses for the development site includes restaurants, retail uses and a fitness center. When the second phase of the development is constructed additional retail space will be constructed as well as 108 dwelling units. At this time the developer has not determined if the dwelling units will be rental or for sale.

The project is being reviewed as one unified development in accordance with the regulations of Chapter 527, Planned Unit Development. The purpose of developing under the provisions of a Planned Unit Development (PUD) is to "...provide flexibility in the use of land and the placement and size of buildings in order to better utilize the special features of sites and to obtain a higher quality of development which incorporates high levels of amenities and which meets public objectives for protection and preservation of natural and historic features". Flexibility in a PUD comes in the form of exceptions to the zoning code regulations that are applicable for the specific zoning district in which the development site is located. Exceptions, however, can only be granted when it is determined that the development includes adequate site amenities which address any adverse effects of the exception. Exceptions can be made for the following regulations: number of structures on a lot, bulk, height, lot area, density, yards, signage and parking and loading. In the conditional use permit application for the PUD this will be discussed in more detail.

The Calhoun Area Residents Action Group (CARAG), the official neighborhood group, has met with the applicant to discuss the development plans for Calhoun Square on several occasions. In a statement from CARAG adopted on January 22, 2008, they indicate that they cannot recommend approval or denial of the project as proposed and believe that several revisions to the plans should be made. CARAG further states that the development "fails to provide the sufficiently high levels of amenities required in the Planned Unit Development (PUD) ordinance to justify the requested zoning exceptions". The written statement from CARAG is attached as part of this staff report.

Travel Demand Management Plan: Developments containing more than 4,000 square feet of new or additional gross floor area, or more than four new or additional parking spaces located within the PO Overlay District in and around the intersection of West Lake Street and Hennepin Avenue South are required to prepare a Travel Demand Management Plan (TDMP). The TDMP shall address the transportation impacts of the development on air quality, parking and roadway infrastructure.

A TDMP was submitted to the City for review in January of 2008. The public hearing for this development was continued from the February 11, 2008, Planning Commission meeting so both Planning and Public Works could have an opportunity to meet with the applicant to discuss two issues that were raised during the initial review of the TDMP. The first issue is the location of the western most curb cut along West 31st Street. Public Works is concerned that cars heading westbound on West 31st Street would back up from Hennepin Avenue South blocking the western most curb cut along West 31st Street. This would make maneuvering in and out of the drive difficult. The TDMP concludes that “in terms of vehicular delay and queuing, none of the site driveways directly accessing local streets (West Lake Street, West 31st Street and Fremont Avenue) are expected to experience problems.”

The second issue that was discussed with the applicant is the development’s parking deficit in relation to the number of parking spaces required by the zoning code. According to Public Works there has been a “long history of parking concerns in the Uptown area and desire to see the off-street parking situation improved”. Currently Calhoun Square has a parking deficit of 176 parking spaces and although there will be increased parking capacity on the site the proposed development will have a parking deficit of 183 parking spaces. The TDMP concludes that the resulting parking deficit is not anticipated to result in a parking problem as the “parking deficit is conservative as the parking requirements for the fitness center and retail land uses in the Calhoun Square Redevelopment are predicted to drop dramatically after 7 PM because the health club member check-ins decline and the retail shops close at 9 PM, just as restaurant business is picking up”.

The Planning Division believes that although this development is not meeting its parking requirement that there is sufficient parking on the site for the mixture of uses within the development. This area of the City is well served by transit and is accessible by an established bike route system. Mixed use development allows for multi-purpose trips, reducing the need for a person to locate a new parking space for each specific use or destination in the vicinity. It should be noted that the applicant could substantially reduce the parking deficit by reducing the amount of restaurant space in the project given that the City’s parking requirement for food and beverage uses is substantially higher than it is for most other uses.

CONDITIONAL USE PERMIT - Planned Commercial Development including approximately 239,184 square feet of commercial space and 108 dwelling units

Findings as Required by the Minneapolis Zoning Code:

The Department of 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 Planning Division does not believe that a planned commercial development including approximately 239,184 square feet of commercial space and 108 dwelling units will be detrimental to or endanger the public health, safety, comfort or general welfare. Calhoun Square was first constructed in 1984. The shopping center is an important asset to Minneapolis and its success is vital to the area's economic achievement as a retail destination. The surrounding area includes a mixture of general retail uses including clothing stores, book stores and home furnishing stores, restaurants, movie theaters, offices and residential dwellings of varying densities. The proposed development will complement the existing uses in the area.

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 Planning Division does not believe that a planned commercial development including approximately 239,184 square feet of commercial space and 108 dwelling units 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 for uses permitted in the district. The mix of retail sales and services uses, food and beverage uses, the major sports and health facility and the residential component of the development will blend nicely with those uses already located in and around Calhoun Square. The design of the development itself will not impede on surrounding uses. The modifications to the shopping center have been designed to blend in with those portions of the building that will remain. The two proposed mixed-use buildings, although taller than the existing shopping center and other surrounding buildings, have been designed to step down to the neighborhood so their impact is minimized.

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.

The site is currently 98.4 percent impervious. Currently, all stormwater runoff flows directly to the City's storm sewer system. As part of the development the site's impervious surface areas will be reduced to 92.6 percent by adding approximately 16,450 square feet of green space. In addition, underground chambers will be installed below the landscape areas along West 31st Street and along the east side of the parking ramp that are designed to provide rate control, water quality treatment and enable infiltration of the stormwater.

There are several vehicle access points leading to and from the site. The parking ramp can be accessed from both West Lake Street and West 31st Street. Both of these access points are located off of vacated Girard Avenue South. To exit the ramp one would go to either West 31st Street or Fremont Avenue South. Because Fremont Avenue South is a one-way street heading north, the exit to Fremont would

direct traffic away from the predominantly residential area to the south. The underground parking for the new mixed-use building located along West Lake Street will be accessed from Fremont Avenue South and the underground parking for the new mixed-use building located on the corner of Hennepin Avenue South and West 31st Street will be accessed from West 31st Street. Please note that the access to the underground parking for the building on the corner of Hennepin Avenue South and West 31st Street is separate from the access point to the parking ramp.

There are three loading facilities on the site. Two of the loading facilities exist today and one is proposed to be located on the south side of the new mixed-use building along West Lake Street. Of the two existing loading facilities one is located on the south side of the shopping center facing West 31st Street and the other is located on the northeast corner of the shopping center facing vacated Girard Avenue South. All three of the loading facilities will utilize the same access drives that lead to the parking ramp.

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

The parking calculation for the development is based on the number of spaces required per the zoning code. In addition, a ten percent reduction was given for each use since the development incorporates a sheltered transit stop on Hennepin Avenue South near West Lake Street. And, an additional ten percent reduction for the housing component was given since the development is located within 300 feet of a transit stop with midday service headways of 30 minutes or less. The parking requirement for this development is as follows: 426 for the retail uses, 602 for the restaurant uses, four for the office uses, six for the cooking school, 97 for the sports and health facility and 86 for the residential units. The total parking requirement is 1,221 parking spaces.

The zoning code and *The Minneapolis Plan* encourage shared parking. The number of shared spaces for two or more distinguishable land uses shall be determined by the following procedure:

- a. Multiply the minimum parking required for each individual use, as set forth in Table 541-1, Specific Off-Street Parking Provisions, by the appropriate percentage indicated in Table 541-2, Shared Parking Calculations, for each of the six (6) designated time periods.
- b. Add the resulting sums for each of the six (6) columns.
- c. The minimum parking requirement shall be the highest sum among the six (6) columns resulting from the above calculations.
- d. Select the time period with the highest total parking requirement and use that total as the shared parking requirement.

The following is the shared parking table for the development. The resulting parking requirement for each use is noted in parenthesis.

Table 541-2 Shared Parking Calculations

General Land Use Classification	Weekdays			Weekends		
	1:00 a.m. – 7:00 a.m.	7:00 a.m. – 6:00 p.m.	6:00 p.m. – 1:00 a.m.	1:00 a.m. – 7:00 a.m.	7:00 a.m. – 6:00 p.m.	6:00 p.m. – 1:00 a.m.

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Retail	0% (0)	100% (426)	80% (341)	0% (0)	100% (426)	60% (256)
Restaurant	20% (120)	70% (421)	100% (602)	30% (181)	75% (452)	100% (602)
Office	5% (0)	100% (4)	5% (0)	0% (0)	15% (1)	0% (0)
Cooking School	0% (0)	100% (6)	80% (5)	0% (0)	100% (6)	60% (4)
Sports & Health Facility	50% (49)	100% (97)	50% (49)	20% (19)	100% (97)	20% (19)
Residential	100% (86)	60% (52)	100% (86)	100% (86)	75% (65)	90% (77)
TOTAL	255	1006	1083	286	1047	958

The shared parking table indicates that the peak demand of 1,083 spaces will occur between 6 pm and 1 am during the weekday. The zoning code allows a reduction in parking by one space per use when a minimum of four bicycle parking spaces are provided on the site. As proposed, the parking requirement can be reduced by 15 spaces as the applicant is proposing to accommodate up to 60 bicycles on the site. Given this the total parking requirement for the development is 1,068 parking spaces.

After completion of both phases of the development the applicant proposes to have a total of 885 parking spaces on the site. The parking requirement of 1,068 parking spaces is 183 spaces more than what will be provided on site. The applicant is seeking an exception to the parking requirement through Chapter 527, Planned Unit Development. See conditional use permit finding number six below.

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

The site is located on the southeast corner of West Lake Street and Hennepin Avenue South. West Lake Street is a designated Commercial Corridor and Hennepin Avenue South is a designated Community Corridor. Please note that north of West Lake Street Hennepin Avenue South is a designated Commercial Corridor but south of West Lake Street it is a designated Community Corridor. The intersection of West Lake Street and Hennepin Avenue South is also a designated Activity Center. According to the principles and policies outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Minneapolis will coordinate land use and transportation planning on designated Community Corridors through attention to the mix and intensity of land uses, the pedestrian character and residential livability of the streets, and the type of transit service provided on these streets (Policy 4.2).
- Promote more intensive residential development along these corridors where appropriate (Implementation Step for Policy 4.2).
- Support the continued presence of small-scale retail sales and commercial services along Community Corridors (Implementation Step for Policy 4.2).
- 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 (Policy 4.3).
- Develop parking facilities and management strategies that balance the following goals: improved customer access, protection of sidewalk traffic, reduced visual impacts and shared use of parking facilities (Implementation Step for Policy 4.3).
- Ensure that parking structures and surface lots conform with identified design principles (Implementation Step for Policy 4.3).

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- Continue to provide a wide range of goods and services for city residents, to promote employment opportunities, to encourage the use and adaptive reuse of existing commercial buildings, and to maintain and improve compatibility with surrounding areas (Policy 4.4).
- Identify and support Activity Centers by preserving the mix and intensity of land uses and enhancing the design features of each area that give it a unique and urban character (Policy 4.7).
- Ensure that land use regulations support diverse commercial and residential development types which generate activity all day long and into the evening (Implementation Step for Policy 4.7).
- Promote the incorporation of residential uses within the same structure as other commercial uses (Implementation Step for Policy 4.7).
- Require that buildings in Activity Center districts incorporate a pedestrian orientation at the street level (Implementation Step for Policy 4.7).
- Minneapolis will grow by increasing its supply of housing (Policy 4.9).

The Planning Division believes that the proposed project is in conformance with the above policies of *The Minneapolis Plan*.

The Uptown Small Area Plan was adopted by the Minneapolis City Council on February 1, 2008. In the plan the majority of the Calhoun Square site is located in the area designated as the Activity Center. However, a small portion of the site located to the east of the vacated alley along Fremont Avenue South is located in the area designated as the Urban Village. The plan recognizes that Calhoun Square is a major asset to the Uptown area and that it should remain an anchor for restaurants and commercial businesses. The plan suggests that housing and office uses be added to the development to ensure that the site remain active 24 hours a day.

The plan talks about what any future redevelopment of the shopping center should look like (it should be noted that the site was changing ownership during the planning process for the Uptown Small Area Plan and that the future plans for the site were not known). It indicates that the site should be more urban and interact better with the surrounding streets. It says that the businesses within the building should open up to the sidewalks and that the sidewalks around the site should be made wider. The plan calls for a redesigned interior of the shopping center with programmable spaces that can accommodate a range of uses, including families. The plan also calls for a pedestrian plaza along vacated Girard Avenue South that will act as a walkway between the Mozaic development and Calhoun Square. The heights discussed in the plan for both the Activity Center and the Urban Village are preferred to be three to five stories but suggests that there are opportunities for buildings up to 84 feet in height along the major corridors. However, the plan suggests that buildings up to 56 feet in height are more appropriate on the south side of West Lake Street in order to create better transitions into the neighborhood fabric.

The Planning Division believes that the proposed project is in conformance with the above policies of the *Uptown Small Area Plan*. Although the proposed heights for the development are taller than what the plan calls for it does acknowledge the past approvals for this development and does not suggest that the past approvals be revisited.

6. And, does in all other respects conform to the applicable regulations of the district in which it is located.

527.120. Exceptions to Zoning Ordinance Standards: Chapter 527, Planned Unit Development authorizes the City Planning Commission to approve exceptions to the zoning regulations that are applicable to the zoning district in which the development is located. This may be done only upon finding that the PUD includes adequate site amenities to address any adverse effects of the exception.

Placement of Structures: In a PUD there may be more than one principal structure located on a lot. The applicant is proposing to re-plat the property into four parcels of land. The shopping center and the new mixed-use building on the corner of Hennepin Avenue South and West 31st Street will be located on two of the lots, the parking ramp will be located on one of the lots and the mixed-use building located along West Lake Street will be located on the other lot. Please note that the shopping center and the new mixed-use building on the corner of Hennepin Avenue South and West 31st Street are internally connected and therefore one building.

Bulk Regulations:

Floor Area: The maximum FAR in the C3A zoning district is 2.7. The lot in question is 279,626 square feet in area. The applicant proposes a total of 452,021 square feet of gross floor area, an FAR of 1.62.

In the C3A zoning district, the maximum floor area of retail sales and services uses cannot exceed 4,000 square feet. If there is no parking located between the building and the street the maximum floor area of the retail sales and services uses can be increased to 6,000 square feet. And if there is no parking located between the building and the street and the building is at least two stories in height the maximum floor area of the retail sales and services uses may be increased to 8,000 square feet. Along West 31st Street there is a surface parking area located between the building and the street. Given this the maximum floor area of the retail sales and services uses located within the shopping center may not exceed 4,000 square feet.

Through the conditional use permit application for the PUD the Planning Commission may authorize an increase in the maximum gross floor area for individual uses up to 20 percent. If this increase were authorized the retail sales and services uses could be 4,800 square feet in size. The Planning Division believes that this development does qualify for the floor area increase given the amenities provided. Such amenities include; the renovation and reuse of Calhoun Square, designated seating areas within the shopping center, a mix of uses within the PUD, structured parking facilities for all uses within the PUD, an integrated transit shelter within the building, bicycle parking scattered around the site, increased green space on the site, an underground chamber system for stormwater runoff, the pedestrian plaza along vacated Girard Avenue South and the stepped back design of the two mixed-use buildings.

The applicant has applied for a variance to increase the size of the retail spaces greater than 4,800 square feet. Specifically, the applicant has requested a variance to increase the size of 20 retail sales and services uses of which not more than six would exceed 9,600 square feet. The applicant has not indicated how large these six spaces would be. Please note that the limitation on the maximum floor area does not apply to food and beverage uses or the major sports and health facility.

Building Height: The height requirement in the C3A zoning district is four stories or 56 feet, whichever is less. The zoning code limits the height of a story to no more than 14 feet. Any story over 14 feet in height is technically considered two stories. The majority of the existing shopping center is three stories in height as the first floor of the building is 16 feet high however, the northwest corner of the building is four stories in height as there is an additional floor in this location. The first floor of the addition to the shopping center along West Lake Street is 15 feet in height and the second floor of the addition in this same location is 14.6 feet in height so technically this portion of the building is also four stories in height. The overall height of both the existing shopping center and the addition to it along West Lake Street is less than 56 feet in height.

The first and second floors of the new mixed-use buildings located on the corner of Hennepin Avenue South and West 31st Street and along West Lake Street both exceed 14 feet in height. The building on the corner of Hennepin Avenue South and West 31st Street has a total height of seven stories or 64 feet but realistically will be a five floor building. And the building located along West Lake Street has a total height of nine stories or 85 feet but realistically will be a seven floor building. The first two floors of both mixed-use buildings are proposed to be commercial and the upper levels of both buildings are proposed to be residential. Both of these buildings have been designed with a series of setbacks beginning at the third floor. By pulling the upper levels of the building back from the base of the building the impact of the overall building height on the surrounding uses is minimized.

The Planning Division does not believe that the proposed heights of the two mixed-use buildings would be out of character with other developments in the surrounding area. There have been several buildings either built or approved at a height taller than four stories or 56 feet in the immediate area. Those buildings include Uptown City Apartments (five stories or 60 feet), Lumen on Lagoon (five stories or 64 feet) and the Mozaic development (10 stories or 112 feet).

Through the conditional use permit application for the PUD the Planning Commission may authorize an increase in the maximum height of structures. The Planning Division believes that this development does qualify for the height increase given the amenities provided. Such amenities include; the renovation and reuse of Calhoun Square, designated seating areas within the shopping center, a mix of uses within the PUD, structured parking facilities for all uses within the PUD, an integrated transit shelter within the building, bicycle parking scattered around the site, increased green space on the site, an underground chamber system for stormwater runoff, the pedestrian plaza along vacated Girard Avenue South and the stepped back design of the two mixed-use buildings.

Lot Requirements:

Generally: The minimum lot area for a Planned Unit Development in any zoning district is two acres. This site is 279,626 square feet (6.42 acres).

Density Bonus: The minimum lot area per dwelling unit in the C3A zoning district is 900 square feet. With 108 proposed dwelling units on a lot of 279,626 square feet, the applicant proposes approximately 2,589 square feet of lot area per dwelling unit.

Yards: For developments containing residential uses with windows facing an interior side yard or rear yard in the C3A zoning district the front yard and corner side yard setback requirements are zero feet and the interior side yard and rear yard setback requirements are $5+2x$, where x equals the number of stories above the first, provided the minimum setback shall not be greater than 15 feet.

As stated above, typically the C3A zoning district requires a zero foot front yard setback. However, because the properties to the south of the site along Fremont Avenue South are zoned R3, Multiple-family District, the required setback is equal to the lesser of the front yard required by the residential district or the established setback of the structure for the first 40 feet north of the south property line. The front yard setback in the R3 zoning district is 20 feet but the adjacent residential structure is located 17 feet from the front property line so the front yard setback is 17 feet. All of the required setbacks for the development are being met.

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, except wall signs for retail sales and services uses are limited to 45 square feet in size. Projecting signs are limited to 45 square feet in size. There is no height limitation for either wall signs or projecting signs however, neither are permitted to extend above the roofline of the building. Freestanding signs are limited to 80 square feet and can be no taller than 25 feet. The zoning code also limits the number of freestanding signs on a zoning lot to one.

The applicant is not proposing to have any freestanding signs on the site. The applicant has submitted a sign plan that illustrates how much signage is allowed per primary building wall and how much signage is currently on the building. The applicant has not submitted a sign plan that shows where all of the new signage will be located but the applicant has indicated that the final sign plan will conform to the sign regulations of Chapter 543, On-premise Signs.

Off-Street Parking and Loading:

Parking: The total parking requirement for the development is 1,086 parking spaces. After completion of both phases of the development the applicant proposes to have a total of 885 parking spaces on the site which is 183 spaces less than what is required.

Through the conditional use permit application for the PUD the Planning Commission may authorize a different parking requirement than what the code requires. When determining the parking requirement the Planning Commission shall consider, but not be limited to, the parking and loading requirements for the individual uses within the PUD as required by the code, the nature of the uses and population served, documentation supplied by the applicant regarding the actual parking and loading demand for the proposed use, the potential for shared parking and loading and the use of alternative forms of transportation.

The Planning Division believes that although this development is not meeting its parking requirement that there is sufficient parking on the site for the mixture of uses within the

development. In addition, this area of the City is well served by transit and is accessible by an established bike route system. Mixed use development allows for multi-purpose trips, reducing the need for a person to locate a new parking space for each specific use or destination in the vicinity.

Loading: The loading requirement for this development is three small loading spaces (10 feet wide by 25 feet long) and three large loading spaces (12 feet wide by 50 feet long). There are three loading facilities on the site; two are existing and one is proposed. Of the two existing loading facilities one is located on the south side of the shopping center facing West 31st Street and the other is located on the northeast corner of the shopping center facing vacated Girard Avenue South. Both of the existing loading facilities accommodate two large loading spaces. The third loading facility will be located on the south side of the new mixed-use building along West Lake Street and will accommodate one large loading space.

Through the conditional use permit application for the PUD the Planning Commission may authorize a different loading requirement than what the code requires. When determining the loading requirement the Planning Commission shall consider, but not be limited to, the parking and loading requirements for the individual uses within the PUD as required by the code, the nature of the uses and population served, documentation supplied by the applicant regarding the actual parking and loading demand for the proposed use, the potential for shared parking and loading and the use of alternative forms of transportation.

The Planning Division believes that although this development is not meeting its loading requirement that there is a sufficient number of loading spaces on the site for the mixture of uses within the development.

527.280. Required 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 a planned residential development the variety of housing types and their relationship to other site elements and to surrounding development.

The proposed mixture of commercial and residential uses within the PUD will fit in well with the surrounding area. The surrounding area includes a mixture of general retail uses including clothing stores, book stores and home furnishing stores, restaurants, movie theaters, offices and residential dwellings of varying densities. All uses within the PUD will be able to take advantage of the structured parking facilities on site, the integrated transit shelter within the building, the green spaces around the site and the pedestrian plaza along vacated Girard Avenue South.

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 and availability of transit alternatives.

The TDMP indicates that the development will not have a negative impact on air quality, the parking supply in the area or on the roadway infrastructure. The Planning Division believes that although this development is not meeting its parking requirement that there is sufficient parking on the site for the mixture of uses within the development. This area of the City is well served by transit and is accessible by an established bike route system. The applicant is proposing to provide a total of 26 bike racks and eight bike lockers on the site. Each of the bike racks can accommodate two bicycles so there will be room for up to 60 bicycles on site. As for pedestrian access, there will be four main entrances leading into the shopping center and the majority of the first floor uses will have their own entrance facing the street. As for the mixed use buildings, both of them have a separate residential entrance and the proposed retail spaces each have their own entrances facing the street.

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

Site amenities include; the renovation and reuse of Calhoun Square, designated seating areas within the shopping center, a mix of uses within the PUD, structured parking facilities for all uses within the PUD, an integrated transit shelter within the building, bicycle parking scattered around the site, increased green space on the site, an underground chamber system for stormwater runoff, the pedestrian plaza along vacated Girard Avenue South and the stepped back design of the two mixed-use buildings.

The interior of Calhoun Square is being renovated as part of this development. The interior corridors are being realigned to allow for a more direct path to the center of the shopping center. The up and down escalators and a new elevator will be located near one another to provide better vertical circulation within the shopping center. A fourth entrance will be added towards the northeast corner of the building and the existing entryways along Hennepin Avenue South will be redesigned. Three designated seating areas ranging between 1,050 square feet and 2,155 square feet will be incorporated into the shopping center each with a variety of seating options. Retail kiosks will be located in the center of the shopping center. And distributed around the shopping center there will be a number of tables and chairs, benches and trash receptacles.

The areas around Calhoun Square will also be renovated as part of this development. There will be three areas of the shopping center that will be rebuilt as part of this development. One of these areas is located along West Lake Street and the other two are located along Hennepin Avenue South. The infill area along West Lake Street will contain the entrance to the fitness center which will be located on the second floor of the building and a proposed restaurant space. The exterior wall of the restaurant space will be setback eight feet from the property line along West Lake Street to allow for an outdoor seating area. The seating area will be covered as the second floor of the building will extend to the property line along West Lake Street. The infill area along Hennepin Avenue South nearest West Lake Street will be setback eight feet from the property line and the infill area along Hennepin Avenue South nearest West 31st Street will be setback 15 feet from the property line.

Setting the building back in these two areas provide more room for pedestrians along the public sidewalk and create informal public gathering spaces.

Along West 31st Street the applicant has designed two outdoor spaces. One of the spaces is located in front of the surface parking and loading area and the other is located in front of the parking ramp. The space located in front of the parking ramp will be an open yard with landscaping along the public sidewalk. The space in front of the surface parking and loading area will undergo two designs; one with each phase of the PUD. In the first phase of the PUD this area will be landscaped. When the second phase of the PUD is constructed a majority of the landscaping will be removed to make way for the access drive to the underground parking. The area that is left will remain landscaped. In both phases the landscaping in this area will be graded to screen the parking and loading areas from West 31st Street.

As part of this development vacated Girard Avenue South will be turned into a pedestrian plaza. Although the parking ramp and the loading facilities will be accessed from both the north and south ends of vacated Girard Avenue South vehicles will no longer be able to drive over the entire length of the “street”. Please note that the design of the pedestrian plaza will not prohibit access for emergency vehicles. The pedestrian plaza will be utilized as a gathering space, for outdoor dining and for special events. The plaza area will have decorative pavement to distinguish it from the drive areas at the north and south ends, wide sidewalks will lead pedestrians to the plaza area from both West Lake Street and West 31st Street, pedestrian scaled lighting will be located along the entire length of vacated Girard Avenue South, benches will be placed along the east side of the plaza, landscaping will be located at both ends of the plaza, a green screen will be attached to the west side of the parking ramp at street level where there is no structured landscaping and layered translucent panels will be attached to the west side of the parking ramp to help visually screen it from the plaza.

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 existing portions of the shopping center that will remain on the site are made out of brick. The additions to the shopping center and the two proposed mixed-use buildings will be constructed primarily out of brick with stone and metal accents. The modifications to the shopping center have been designed to blend in with those portions of the building that will remain. The two proposed mixed-use buildings, although taller than the existing shopping center and other surrounding buildings, have been designed with a series of setbacks beginning at the third floor. By pulling the upper levels of the building back from the base of the building the impact of the overall building height on the surrounding uses is minimized.

e. 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 site is currently 98.4 percent impervious. Currently, all stormwater runoff flows directly to the City's storm sewer system. As part of the development the site's impervious surface areas will be reduced to 92.6 percent by adding approximately 16,450 square feet of green space. In addition, underground chambers will be installed below the landscape areas along West 31st Street and along the east side of the parking ramp that are designed to provide rate control, water quality treatment and enable infiltration of the stormwater. The City of Minneapolis will review and approve the applicant's stormwater management plan and erosion control plan.

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

The applicant is proposing to re-plat the property into four parcels of land. The shopping center and the new mixed-use building on the corner of Hennepin Avenue South and West 31st Street will be located on two of the lots, the parking ramp will be located on one of the lots and the mixed-use building located along West Lake Street will be located on the other lot. Please note that the shopping center and the new mixed-use building on the corner of Hennepin Avenue South and West 31st Street are internally connected and therefore one building. Please see the plat section towards the end of this report for more details.

Chapter 551, Overlay District

PO Pedestrian Oriented Overlay District: All properties located within a designated PO Pedestrian Oriented Overlay District are subject to the provisions of the Pedestrian Oriented Overlay:

Prohibited uses. Drive-through facilities, automobile services uses and transportation uses are prohibited in the PO Overlay District.

Not all of the specific commercial uses within the building are known at this time. However, the building has not been designed to accommodate a drive-through facility or automobile related uses.

Fast food restaurants. Fast food restaurants shall be located only in storefront buildings existing on the effective date of this ordinance.

The portion of the building that is to remain has been determined to be a shopping center, not a storefront building. Therefore, fast food restaurants could not locate in the portion of the building that will remain after construction is complete. In addition, fast food restaurants may not locate in newly constructed buildings.

Building placement. Buildings shall be located not more than eight feet from the front lot line. In the case of a corner lot, the building wall abutting each street shall be located not more than eight feet from the lot line. The area between the building and the lot line shall include amenities.

Buildings shall be oriented so that at least one principal entrance faces the public street rather than the interior of the site.

The new mixed-use buildings and the majority of the infill areas of the shopping center will all be built within eight feet of the front property line. However, the infill area along Hennepin Avenue South nearest West 31st Street will be setback 15 feet from the property line. There will be landscaping and benches provided in the area between the building and the property line but the majority of the space will be left open to provide more room for pedestrians along the public sidewalk and an informal public gathering space. The applicant has applied for a variance of the PO Overlay standards to allow this portion of the building to be built more than eight feet from the front property line. There will be four main entrances leading into the shopping center and the majority of the first floor uses will have their own entrance facing the street. As for the mixed use buildings, both of them have a separate residential entrance and the proposed retail spaces each have their own entrances facing the street.

Building facade. At least 40 percent of the first floor facade of any nonresidential use that faces a public street or sidewalk shall be windows or doors of clear or lightly tinted glass that allow views into and out of the building at eye level. Windows shall be distributed in a more or less even manner. Awnings and canopies are encouraged in order to provide protection for pedestrians and to emphasize individual uses and entrances. Back-lighted awnings and canopies shall be prohibited.

The first floor of the development facing Hennepin Avenue South, West Lake Street, West 31st Street and Fremont Avenue South has a minimum of 40 percent windows. The windows are distributed in an even manner across the building walls. The entrances to the building are emphasized through the use of canopies or other architectural features of the design.

Prohibited on-premise signs. Pole signs, back-lighted awning and canopy signs and back-lighted insertable panel projecting signs are prohibited in the PO Overlay District.

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, except wall signs for retail sales and services uses are limited to 45 square feet in size. Projecting signs are limited to 45 square feet in size. There is no height limitation for either wall signs or projecting signs however, neither are permitted to extend above the roofline of the building. Freestanding signs are limited to 80 square feet and can be no taller than 25 feet. The zoning code also limits the number of freestanding signs on a zoning lot to one.

The applicant is not proposing to have any freestanding signs on the site. The applicant has submitted a sign plan that illustrates how much signage is allowed per primary building wall and how much signage is currently on the building. The applicant has not submitted a sign plan that shows where all of the new signage will be located but the applicant has indicated that the final sign plan will conform to the sign regulations of Chapter 543, On-premise Signs.

Accessory parking. On-site accessory parking facilities shall be located to the rear or interior side of the site, within the principal building served, or entirely below grade. Parking lots shall be limited to not more than 60 feet of street frontage. The driveway width for all parking facilities shall not exceed 20 feet of street frontage. The development of shared parking is encouraged, subject to the provisions of Chapter 541, Off-site Parking and Loading. When off-site parking is allowed as specified in Chapter 541, Off-Street Parking and Loading, parking may be located an additional five hundred (500) feet from the use served, subject to the requirements of Chapter 541, Off-Street Parking and Loading, governing the location of off-site parking. And the number of accessory parking spaces for nonresidential uses shall not exceed 150 percent of the minimum required parking spaces, as specified in Chapter 541, Off-Street Parking and Loading, or 10 spaces, whichever is greater, except where it is determined by the zoning administrator that such excess parking spaces serve to provide parking for another use or uses subject to the requirements of this section.

The majority of the parking for this development is located either within the parking ramp or underground. However, there are seven parking spaces located between the building and the property line along West 31st Street. This parking area is part of a larger loading facility that is located on the south side of the shopping center facing West 31st Street. Please note that this area of the site is currently used for loading and short-term parking. The parking area measures 60 feet in width.

Of the five driveways leading to and from the site, three exceed the 20-foot width maximum. The first is the driveway along Fremont Avenue South which provides access to the underground parking for the new mixed-use building along West Lake Street, the exit from the parking ramp and the exit for the two loading facilities on the north end of the development site. This driveway is 37 feet in width. Another is the driveway along West 31st Street which provides access to the underground parking for the new mixed-use building on the corner of Hennepin Avenue South and West 31st Street and the exit for the loading facility on the south end of the development site. This driveway is 25 feet in width. And the other is the exit from the parking ramp along West 31st Street which is 22 feet in width. The applicant has applied for a variance of the PO Overlay standards to allow two driveways greater than 20 feet in width.

Lake and Hennepin area. Developments located within the PO Overlay District in and around the intersection of West Lake Street and Hennepin Avenue South are required to prepare a Travel Demand Management Plan (TDMP).

Please see the TDMP description in the background section above.

CONDITIONAL USE PERMIT - for 108 dwelling units

Findings as Required by the Minneapolis Zoning Code:

The Department of 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 Planning Division does not believe that 108 dwelling units would be detrimental to or endanger the public health, safety, comfort or general welfare. The surrounding area includes a mixture of general retail uses including clothing stores, book stores and home furnishing stores, restaurants, movie theaters, offices and residential dwellings of varying densities. The additional residential units will complement the existing uses in the area.

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 Planning Division does not believe that 108 dwelling units 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 for uses permitted in the district. Incorporating 108 dwelling units into the development would provide additional opportunities for housing within the neighborhood and would support the commercial uses not only in Calhoun Square itself but in all of Uptown.

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

See the conditional use permit finding for the Planned Commercial Development above.

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

See the conditional use permit finding for the Planned Commercial Development above.

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

The site is located on the southeast corner of West Lake Street and Hennepin Avenue South. West Lake Street is a designated Commercial Corridor and Hennepin Avenue South is a designated Community Corridor. Please note that north of West Lake Street Hennepin Avenue South is a designated Commercial Corridor but south of West Lake Street it is a designated Community Corridor. The intersection of West Lake Street and Hennepin Avenue South is also a designated Activity Center. According to the principles and policies outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Minneapolis will coordinate land use and transportation planning on designated Community Corridors through attention to the mix and intensity of land uses, the pedestrian character and residential livability of the streets, and the type of transit service provided on these streets (Policy 4.2).
- Promote more intensive residential development along these corridors where appropriate (Implementation Step for Policy 4.2).

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- 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 (Policy 4.3).
- Identify and support Activity Centers by preserving the mix and intensity of land uses and enhancing the design features of each area that give it a unique and urban character (Policy 4.7).
- Ensure that land use regulations support diverse commercial and residential development types which generate activity all day long and into the evening (Implementation Step for Policy 4.7).
- Promote the incorporation of residential uses within the same structure as other commercial uses (Implementation Step for Policy 4.7).
- Minneapolis will grow by increasing its supply of housing (Policy 4.9).

The Planning Division believes that the proposed project is in conformance with the above policies of *The Minneapolis Plan*.

The Uptown Small Area Plan was adopted by the Minneapolis City Council on February 1, 2008. In the plan the majority of the Calhoun Square site is located in the area designated as the Activity Center. However, a small portion of the site located to the east of the vacated alley along Fremont Avenue South is located in the area designated as the Urban Village. The plan recognizes that Calhoun Square is a major asset to the Uptown area and that it should remain an anchor for restaurants and commercial businesses. The plan suggests that housing and office uses be added to the site to ensure that the site remain active 24 hours a day.

The plan talks about what any future redevelopment of the shopping center should look like (it should be noted that the site was changing ownership during the planning process for the Uptown Small Area Plan and that the future plans for the site were not known). It indicates that the site should be more urban and interact better with the surrounding streets. It says that the businesses within the building should open up to the sidewalks and that the sidewalks around the site should be made wider. The plan calls for a redesigned interior of the shopping center with programmable spaces that can accommodate a range of uses, including families. The plan also calls for a pedestrian plaza along vacated Girard Avenue South that will act as a walkway between the Mozaic development and Calhoun Square. The heights discussed in the plan for both the Activity Center and the Urban Village are preferred to be three to five stories but suggests that there are opportunities for buildings up to 84 feet in height along the major corridors. However, the plan suggests that buildings up to 56 feet in height are more appropriate on the south side of West Lake Street in order to create better transitions into the neighborhood fabric.

The Planning Division believes that the proposed project is in conformance with the above policies of the *Uptown Small Area Plan*. Although the proposed heights for the development are taller than what the plan calls for it does acknowledge the past approvals for this development and does not suggest that the past approvals be revisited.

6. And, does in all other respects conform to the applicable regulations of the district in which it is located.

With the approval of the conditional use permits, the variances, the site plan review and the preliminary plat this development will meet the applicable regulations of the C3A zoning district.

CONDITIONAL USE PERMIT - for a shopping center

Findings as Required by the Minneapolis Zoning Code:

The Department of 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 Planning Division does not believe that rehabilitating and expanding the existing shopping center will be detrimental to or endanger the public health, safety, comfort or general welfare. Calhoun Square was first constructed in 1984. The shopping center is an important asset to Minneapolis and its success is vital to the area's economic achievement as a retail destination.

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 Planning Division does not believe that rehabilitating and expanding the existing shopping center 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 for uses permitted in the district. Although the building is a shopping center its design is not stereotypical. There will be four main entrances leading into the building, the majority of the first floor uses will have their own entrance facing the street and three areas of the second floor have been pulled back from the edge of the building and open up onto outdoor spaces. In addition, large windows have been incorporated into all four sides of the building which will allow views into and out of the building.

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

See the conditional use permit finding for the Planned Commercial Development above.

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

See the conditional use permit finding for the Planned Commercial Development above.

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

The site is located on the southeast corner of West Lake Street and Hennepin Avenue South. West Lake Street is a designated Commercial Corridor and Hennepin Avenue South is a designated Community Corridor. Please note that north of West Lake Street Hennepin Avenue South is a designated Commercial Corridor but south of West Lake Street it is a designated Community Corridor. The

intersection of West Lake Street and Hennepin Avenue South is also a designated Activity Center. According to the principles and policies outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Minneapolis will coordinate land use and transportation planning on designated Community Corridors through attention to the mix and intensity of land uses, the pedestrian character and residential livability of the streets, and the type of transit service provided on these streets (Policy 4.2).
- Support the continued presence of small-scale retail sales and commercial services along Community Corridors (Implementation Step for Policy 4.2).
- 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 (Policy 4.3).
- Continue to provide a wide range of goods and services for city residents, to promote employment opportunities, to encourage the use and adaptive reuse of existing commercial buildings, and to maintain and improve compatibility with surrounding areas (Policy 4.4).
- Identify and support Activity Centers by preserving the mix and intensity of land uses and enhancing the design features of each area that give it a unique and urban character (Policy 4.7).
- Ensure that land use regulations support diverse commercial and residential development types which generate activity all day long and into the evening (Implementation Step for Policy 4.7).
- Require that buildings in Activity Center districts incorporate a pedestrian orientation at the street level (Implementation Step for Policy 4.7).

The Planning Division believes that the proposed project is in conformance with the above policies of *The Minneapolis Plan*.

The Uptown Small Area Plan was adopted by the Minneapolis City Council on February 1, 2008. In the plan the majority of the Calhoun Square site is located in the area designated as the Activity Center. However, a small portion of the site located to the east of the vacated alley along Fremont Avenue South is located in the area designated as the Urban Village. The plan recognizes that Calhoun Square is a major asset to the Uptown area and that it should remain an anchor for restaurants and commercial businesses. The plan suggests that housing and office uses be added to the site to ensure that the site remain active 24 hours a day.

The plan talks about what any future redevelopment of the shopping center should look like (it should be noted that the site was changing ownership during the planning process for the Uptown Small Area Plan and that the future plans for the site were not known). It indicates that the site should be more urban and interact better with the surrounding streets. It says that the businesses within the building should open up to the sidewalks and that the sidewalks around the site should be made wider. The plan calls for a redesigned interior of the shopping center with programmable spaces that can accommodate a range of uses, including families. The plan also calls for a pedestrian plaza along vacated Girard Avenue South that will act as a walkway between the Mozaic development and Calhoun Square. The heights discussed in the plan for both the Activity Center and the Urban Village are preferred to be three to five stories but suggests that there are opportunities for buildings up to 84 feet in height along the major corridors. However, the plan suggests that buildings up to 56 feet in height are more appropriate on the south side

on the south side of West Lake Street in order to create better transitions into the neighborhood fabric.

The Planning Division believes that the proposed project is in conformance with the above policies of the *Uptown Small Area Plan*. Although the proposed heights for the development are taller than what the plan calls for it does acknowledge the past approvals for this development and does not suggest that the past approvals be revisited.

6. And, does in all other respects conform to the applicable regulations of the district in which it is located.

With the approval of the conditional use permits, the variances, the site plan review and the preliminary plat this development will meet the applicable regulations of the C3A zoning district.

CONDITIONAL USE PERMIT - for a major sports and health facility

Findings as Required by the Minneapolis Zoning Code:

The Department of 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 Planning Division does not believe that a major sports and health facility would be detrimental to or endanger the public health, safety, comfort or general welfare. The surrounding area includes a mixture of general retail uses including clothing stores, book stores and home furnishing stores, restaurants, movie theaters, offices and residential dwellings of varying densities. A major sports and health facility will complement the existing uses in the area.

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 Planning Division does not believe that a major sports and health facility 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 for uses permitted in the district. The proposed fitness center will be located on the second floor of the shopping center. It will have its own designated entrance off of West Lake Street but will also be accessible from within the shopping center. The proposed fitness center will not have a pool or gymnasium as originally proposed. It will however have a large selection of free weights, cardio machines, a designated room for fitness classes and a child care facility for its members.

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

See the conditional use permit finding for the Planned Commercial Development above.

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

See the conditional use permit finding for the Planned Commercial Development above.

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

The site is located on the southeast corner of West Lake Street and Hennepin Avenue South. West Lake Street is a designated Commercial Corridor and Hennepin Avenue South is a designated Community Corridor. Please note that north of West Lake Street Hennepin Avenue South is a designated Commercial Corridor but south of West Lake Street it is a designated Community Corridor. The intersection of West Lake Street and Hennepin Avenue South is also a designated Activity Center. According to the principles and polices outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Minneapolis will coordinate land use and transportation planning on designated Community Corridors through attention to the mix and intensity of land uses, the pedestrian character and residential livability of the streets, and the type of transit service provided on these streets (Policy 4.2).
- Support the continued presence of small-scale retail sales and commercial services along Community Corridors (Implementation Step for Policy 4.2).
- 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 (Policy 4.3).
- Continue to provide a wide range of goods and services for city residents, to promote employment opportunities, to encourage the use and adaptive reuse of existing commercial buildings, and to maintain and improve compatibility with surrounding areas (Policy 4.4).
- Identify and support Activity Centers by preserving the mix and intensity of land uses and enhancing the design features of each area that give it a unique and urban character (Policy 4.7).
- Ensure that land use regulations support diverse commercial and residential development types which generate activity all day long and into the evening (Implementation Step for Policy 4.7).
- Require that buildings in Activity Center districts incorporate a pedestrian orientation at the street level (Implementation Step for Policy 4.7).

The Planning Division believes that the proposed project is in conformance with the above policies of *The Minneapolis Plan*.

The Uptown Small Area Plan was adopted by the Minneapolis City Council on February 1, 2008. In the plan the majority of the Calhoun Square site is located in the area designated as the Activity Center. However, a small portion of the site located to the east of the vacated alley along Fremont Avenue South is located in the area designated as the Urban Village. The plan recognizes that Calhoun Square is a major asset to the Uptown area and that it should remain an anchor for restaurants and commercial

businesses. The plan suggests that housing and office uses be added to the site to ensure that the site remain active 24 hours a day.

The plan talks about what any future redevelopment of the shopping center should look like (it should be noted that the site was changing ownership during the planning process for the Uptown Small Area Plan and that the future plans for the site were not known). It indicates that the site should be more urban and interact better with the surrounding streets. It says that the businesses within the building should open up to the sidewalks and that the sidewalks around the site should be made wider. The plan calls for a redesigned interior of the shopping center with programmable spaces that can accommodate a range of uses, including families. The plan also calls for a pedestrian plaza along vacated Girard Avenue South that will act as a walkway between the Mozaic development and Calhoun Square. The heights discussed in the plan for both the Activity Center and the Urban Village are preferred to be three to five stories but suggests that there are opportunities for buildings up to 84 feet in height along the major corridors. However, the plan suggests that buildings up to 56 feet in height are more appropriate on the south side of West Lake Street in order to create better transitions into the neighborhood fabric.

The Planning Division believes that the proposed project is in conformance with the above policies of the *Uptown Small Area Plan*. Although the proposed heights for the development are taller than what the plan calls for it does acknowledge the past approvals for this development and does not suggest that the past approvals be revisited.

6. And, does in all other respects conform to the applicable regulations of the district in which it is located.

With the approval of the conditional use permits, the variances, the site plan review and the preliminary plat this development will meet the applicable regulations of the C3A zoning district.

CONDITIONAL USE PERMIT - for extended hours for the major sports and health facility

Findings as Required by the Minneapolis Zoning Code:

The Department of 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 hours of operation for the C3A zoning district are Sunday through Saturday, 6 am to 1 am. The proposed hours of operation for the sports and health facility are Monday through Thursday, 5 am to 11 pm, Friday, 5 am to 10 pm and Saturday and Sunday, 8 am to 8 pm. The applicant is requesting a conditional use permit to extend the hours of operation for the major sports and health facility beginning at 5 am Monday through Friday. The Planning Division does not believe that allowing the major sports and health facility to open one hour earlier during the weekdays would be detrimental to or endanger the public health, safety, comfort or general welfare.

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 Planning Division does not believe that allowing the major sports and health facility to open one hour earlier during the week days 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 for uses permitted in the district. The use itself is located in the shopping center and parking for the use is provided in the structured parking ramp on the site.

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

Extending the maximum hours of operation will not affect the adequacy of these facilities.

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

See the conditional use permit finding for the Planned Commercial Development above.

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

The site is located on the southeast corner of West Lake Street and Hennepin Avenue South. West Lake Street is a designated Commercial Corridor and Hennepin Avenue South is a designated Community Corridor. Please note that north of West Lake Street Hennepin Avenue South is a designated Commercial Corridor but south of West Lake Street it is a designated Community Corridor. The intersection of West Lake Street and Hennepin Avenue South is also a designated Activity Center. According to the principles and policies outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Identify and support Activity Centers by preserving the mix and intensity of land uses and enhancing the design features of each area that give it a unique and urban character (Policy 4.7).
- Ensure that land use regulations support diverse commercial and residential development types which generate activity all day long and into the evening (Implementation Step for Policy 4.7).

The Planning Division believes that the proposed project is in conformance with the above policies of *The Minneapolis Plan*.

The Uptown Small Area Plan was adopted by the Minneapolis City Council on February 1, 2008. In the plan the majority of the Calhoun Square site is located in the area designated as the Activity Center. However, a small portion of the site located to the east of the vacated alley along Fremont Avenue South is located in the area designated as the Urban Village. The plan recognizes that Calhoun Square is a major asset to the Uptown area and that it should remain an anchor for restaurants and commercial businesses. The plan suggests that housing and office uses be added to the site to ensure that the site remain active 24 hours a day.

The plan talks about what any future redevelopment of the shopping center should look like (it should be noted that the site was changing ownership during the planning process for the Uptown Small Area Plan and that the future plans for the site were not known). It indicates that the site should be more urban and interact better with the surrounding streets. It says that the businesses within the building should open up to the sidewalks and that the sidewalks around the site should be made wider. The plan calls for a redesigned interior of the shopping center with programmable spaces that can accommodate a range of uses, including families. The plan also calls for a pedestrian plaza along vacated Girard Avenue South that will act as a walkway between the Mozaic development and Calhoun Square. The heights discussed in the plan for both the Activity Center and the Urban Village are preferred to be three to five stories but suggests that there are opportunities for buildings up to 84 feet in height along the major corridors. However, the plan suggests that buildings up to 56 feet in height are more appropriate on the south side of West Lake Street in order to create better transitions into the neighborhood fabric.

The Planning Division believes that the proposed project is in conformance with the above policies of the *Uptown Small Area Plan*. Although the proposed heights for the development are taller than what the plan calls for it does acknowledge the past approvals for this development and does not suggest that the past approvals be revisited.

6. And, does in all other respects conform to the applicable regulations of the district in which it is located.

With the approval of the conditional use permits, the variances, the site plan review and the preliminary plat this development will meet the applicable regulations of the C3A zoning district.

VARIANCE - of the PO Pedestrian Oriented Overlay District

Findings as Required by the Minneapolis Zoning Code for the Variance:

1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.

PO Pedestrian Oriented Overlay District: The applicant is seeking a variance of the PO Pedestrian Oriented Overlay District. Specifically, the applicant is seeking a variance to allow a portion of the building along Hennepin Avenue South to be built more than eight feet from the front property line and to allow three driveways greater than 20 feet in width.

Building setbacks: The new mixed-use buildings and the majority of the infill areas of the shopping center will all be built within eight feet of the front property line. However, the infill area along Hennepin Avenue South nearest West 31st Street will be setback 15 feet from the property line. There will be landscaping and benches provided in the area between the building and the property line but the majority of the space will be left open to provide more room for pedestrians along the public sidewalk and an informal public gathering space. The applicant has indicated that if this area of the building were constructed within eight feet of the front property line that the goals of the Uptown Small Area Plan would not be met.

Width of driveways: Of the five driveways leading to and from the site, three exceed the 20-foot width maximum. The first is the driveway along Fremont Avenue South which provides access to the underground parking for the new mixed-use building along West Lake Street, the exit from the parking ramp and the exit for the two loading facilities on the north end of the development site. This driveway is 37 feet in width. Another is the driveway along West 31st Street which provides access to the underground parking for the new mixed-use building on the corner of Hennepin Avenue South and West 31st Street and the exit for the loading facility on the south end of the development site. This driveway is 25 feet in width. And the other is the exit from the parking ramp along West 31st Street which is 22 feet in width. The applicant has indicated that it is reasonable to have driveways wider than 20 feet on this site given the high amount of traffic coming and going on a daily basis and because delivery trucks use the same driveways as passenger vehicles so to make the turning radius' work for both some of the driveways need to be wider.

- 2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

PO Pedestrian Oriented Overlay District:

Building setbacks: The site is unique in that it is located in a PO Overlay district where the regulations say to locate all buildings within 8 feet of the front property line but it is also located within the boundaries of the Uptown Small Area Plan where the regulations say to create wider sidewalks for a more enhanced pedestrian atmosphere.

Width of driveways: The site is unique in that there will be a mixture of commercial and residential uses on the site, 885 parking spaces and three loading facilities all sharing the same driveways leading to and from the site.

- 3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

PO Pedestrian Oriented Overlay District:

Building setbacks: The Planning Division believes that the granting of this variance would be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. Setting the building back 15 feet from the front property line will provide for approximately 1,230 square feet of outdoor open space near one of the principal entrances to the shopping center along Hennepin Avenue South. This space will provide more room for pedestrians along the public sidewalk and an informal public gathering space.

Width of driveways: The Planning Division believes that the granting of this variance would be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the

locality or be injurious to the use or enjoyment of other property in the vicinity. None of the proposed driveways are excessive in size. In addition, none of the driveways are immediately next to one another so their width should not impact pedestrians on the public sidewalks.

4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.

PO Pedestrian Oriented Overlay District: The Planning Division believes that the granting of the variance would likely have little impact on congestion of area streets or fire safety, nor would the proposed variance be detrimental to welfare or public safety.

VARIANCE - to increase the gross floor area of individual retail sales and services spaces within the shopping center from the maximum 4,800 square feet

Findings as Required by the Minneapolis Zoning Code for the Variance:

1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.

Gross floor area increase: In the C3A zoning district, the maximum floor area of retail sales and services uses cannot exceed 4,000 square feet. If there is no parking located between the building and the street the maximum floor area of the retail sales and services uses can be increased to 6,000 square feet. And if there is no parking located between the building and the street and the building is at least two stories in height the maximum floor area of the retail sales and services uses may be increased to 8,000 square feet. Along West 31st Street there is a surface parking area located between the building and the street. Given this the maximum floor area of the retail sales and services uses located within the shopping center may not exceed 4,000 square feet.

Through the conditional use permit application for the PUD the Planning Commission may authorize an increase in the maximum gross floor area for individual uses up to 20 percent. If this increase were authorized the retail sales and services uses could be 4,800 square feet in size. The Planning Division believes that this development does qualify for the floor area increase given the amenities provided. Such amenities include; the renovation and reuse of Calhoun Square, designated seating areas within the shopping center, a mix of uses within the PUD, structured parking facilities for all uses within the PUD, an integrated transit shelter within the building, bicycle parking scattered around the site, increased green space on the site, an underground chamber system for stormwater runoff, the pedestrian plaza along vacated Girard Avenue South and the stepped back design of the two mixed-use buildings.

The applicant is seeking a variance to increase the gross floor area of individual retail sales and services spaces within the shopping center from the maximum 4,800 square feet. Specifically, the applicant has requested a variance to increase the size of 20 retail sales and services uses of which not more than six would exceed 9,600 square feet. The applicant has not indicated how large these six spaces would be. The applicant has indicated that limiting the size of the individual tenant spaces within the shopping

center to 4,800 square feet would prevent them from marketing to a broad range of tenants given that individual retailers have a variety of needs including different floor plans.

2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.

Gross floor area increase: The site is unique in that there will be approximately 239,184 square feet of commercial space within the building to fill with various tenants.

3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.

Gross floor area increase: The Planning Division believes that the granting of this variance would be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. Commercial uses located within the immediate vicinity vary in size from under 4,000 square feet to upwards of 25,000 square feet. For informational purposes staff looked up building information for a handful of uses in the Uptown area on the City’s Property Information Resources website. The following is the comparison:

Address	Use	GFA
3000 Hennepin Avenue South	Former Gap site	9,812 square feet
3006 Hennepin Avenue South	Urban Outfitters	11,068 square feet
1300 West Lake Street	Cheapo Records	17,415 square feet
1439 West Lake Street	Jon English Salon	6,844 square feet
1505 West Lake Street	Wells Fargo Bank	3,170 square feet
1450 West Lake Street	Lunds Grocery Store	25,908 square feet

The Planning Division believes that it is healthy to have a variety of retail tenants in the area in order to appeal to a broad range of shoppers. However, the Planning Division believes that in order to maintain the character of the area no retail sales and services use should exceed 30,000 square feet in size. In addition, the Planning Division believes that all ground floor retail sales and services tenants fronting along a public street should have a public entrance facing the street and that it should remain open during the business’ hours of operation.

4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.

Gross floor area increase: The Planning Division believes that the granting of the variance would likely have little impact on congestion of area streets or fire safety, nor would the proposed variance be detrimental to welfare or public safety.

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 and windows:
 - Residential uses:
 - Principal entrances shall be clearly defined and emphasized through the use of architectural features such as porches and roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Twenty (20)

percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:

- a. Windows shall be vertical in proportion.
- b. Windows shall be distributed in a more or less even manner.

- **Nonresidential uses:**

- **Principal entrances shall be clearly defined and emphasized through the use of architectural features such as roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Thirty (30) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:**

- a. Windows shall be vertical in proportion.
- b. Windows shall be distributed in a more or less even manner.
- c. The bottom of any window used to satisfy the ground floor window requirement may not be more than four (4) feet above the adjacent grade.
- d. First floor or ground floor windows shall have clear or lightly tinted glass with a visible light transmittance ratio of 0.6 or higher.
- e. First floor or ground floor windows shall allow views into and out of the building at eye level. Shelving, mechanical equipment or other similar fixtures shall not block views into and out of the building in the area between four (4) and seven (7) feet above the adjacent grade. However, window area in excess of the minimum required area shall not be required to allow views into and out of the building.

- **Industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, may provide less than thirty (30) percent windows on the walls that face an on-site parking lot, provided the parking lot is not located between the building and a public street, public sidewalk or public pathway.**
- **Minimum window area shall be measured as indicated in section 530.120 of the zoning code.**
- **The form and pitch of roof lines shall be similar to surrounding buildings.**
- **Parking Garages: The exterior design shall ensure that sloped floors do not dominate the appearance of the walls and that vehicles are screened from view. At least thirty (30) percent of the first floor building wall that faces a public street, public sidewalk or public pathway shall be occupied by active uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.**

PLANNING DEPARTMENT RESPONSE:

- The infill portions of the shopping center and the two new mixed-use buildings reinforce the street wall, maximize natural surveillance and facilitate pedestrian access.
- The new mixed-use buildings and the majority of the infill areas of the shopping center will all be built within eight feet of the front property line. However, the infill area along Hennepin Avenue South nearest West 31st Street will be setback 15 feet from the property line. There will be landscaping and benches provided in the area between the building and the property line but the majority of the space will be left open to provide more room for pedestrians along the public sidewalk and an informal public gathering space. The Planning Division is recommending that the City Planning Commission grant alternative compliance to allow this portion of the building to be

setback more than eight feet from the front property line.

- There will be four main entrances leading into the shopping center. In addition, the Planning Division is recommending that all ground floor retail sales and services tenants fronting along a public street have a public entrance facing the street. As for the mixed use buildings, both of them have a separate residential entrance and the proposed retail spaces each have their own entrances facing the street.
- The majority of the parking for this development is located either within the parking ramp or underground. However, there is a surface parking area located between the building and the property line along West 31st Street. This parking area is part of a larger loading facility that is located on the south side of the shopping center facing West 31st Street. The area in between the parking and loading area and the property line will be landscaped. The landscaping will be graded to screen the parking and loading areas from West 31st Street.
- The existing portions of the shopping center that will remain on the site are made out of brick. The additions to the shopping center and the two proposed mixed-use buildings will be constructed primarily out of brick with stone and metal accents.
- There are two areas of the development that have blank, interrupted walls over 25 feet in length and void of any windows, entries, recesses or projections, or other architectural elements. One of the areas is along the south side of the shopping center. This is an existing condition of the building. The other area of the development that is over 25 feet in length and blank is the south side of the new mixed use building located along West Lake Street. Please note that only the first two floors of this building wall are blank and only on the west half of the building. Although the majority of this building wall is screened from view by the parking ramp the Planning Division is recommending that the building be designed so the wall is not blank.
- At least 40 percent (in the PO Pedestrian Oriented Overlay District) of the first floor and at least 10 percent of the upper floors of the building walls on Hennepin Avenue South, West Lake Street, West 31st Street, Fremont Avenue South and the east wall of the mixed use building on the corner of Hennepin Avenue South and West 31st Street are required to be windows. The project complies with these requirements as follows:
 - Along all sides of the building where windows are required, the first floor meets or exceeds the 40 percent requirement and the upper floors exceed the 10 percent requirement.
 - For non-residential uses, the zoning code requires that at least 40 percent (in the PO Pedestrian Oriented Overlay District) of the windows allow views into and out of the building and be free of shelving, mechanical equipment or other similar fixtures that block views. The Planning Division is recommending that at least 40 percent of the window area allow views into and out of the building and be free of shelving, mechanical equipment or other similar fixtures that block views so as to comply with the regulations of the zoning code.
 - The roof line of the infill additions to the shopping center and of the two new mixed-use buildings will be flat, similar to the roof line of the existing building and other commercial buildings in the area.
 - The sloped floors of the parking ramp will not be visible from West Lake Street or West 31st Street. However, they will be visible from vacated Girard Avenue South and Fremont Avenue South. Without completely demolishing the parking ramp and starting over this cannot be changed as that was how the parking ramp was originally designed.

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 that lead into the building are connected to the public sidewalks.
- The existing transit stop located at the corner of Hennepin Avenue South and West Lake Street will be integrated into the design of the building as part of this development. The transit stop will be enclosed with a glass wall and will be internally lit and heated.
- The number of curb cuts leading to and from the site is being reduced by one, access to and from the parking ramp is being reconfigured and vacated Girard Avenue South will be turned into a pedestrian plaza. All of these changes will help minimize vehicular conflicts with pedestrians.
- The site is adjacent to the public alley located on the block between Fremont Avenue South and vacated Girard Avenue South. Once the alley is redirected towards Fremont Avenue South there will be no vehicular access to the adjacent public alley from the site.
- The site is currently 98.4 percent impervious. Currently, all stormwater runoff flows directly to the City's storm sewer system. As part of the development the site's impervious surface areas will be reduced to 92.6 percent by adding approximately 16,450 square feet of green space. In addition, underground chambers will be installed below the landscape areas along West 31st Street and along the east side of the parking ramp that are designed to provide rate control, water quality treatment and enable infiltration of the stormwater.

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 279,626 square feet. The footprint of the building, including the parking ramp, is 197,471 square feet. When you subtract the footprint from the lot size the resulting number is 82,155 square feet. Twenty percent of this number is 16,431 square feet. The applicant has a total of 20,732 square feet, or 25 percent of the site is landscaped.
- The zoning code requires at least 1 tree for each 500 square feet of required green space and at least 1 shrub for each 100 square feet of required green space. The tree and shrub requirement for this site is 33 and 164 respectfully. The applicant is providing a total of 39 canopy trees, 19 evergreen trees, six ornamental trees and 301 shrubs on the site. In addition, the applicant is proposing to plant perennials around the site is a variety of landscape planters.
- The zoning code requires that a 7-foot wide landscaped yard be provided along a public street, sidewalk or pathway when adjacent to a parking lot or a loading area. The space in front of the surface parking and loading area will undergo two designs; one with each phase of the PUD. In the first phase of the PUD this area will be landscaped. When the second phase of the PUD is constructed a majority of the landscaping will be removed to make way for the access drive to the underground parking. The area that is left will remain landscaped and will be 12 feet in width.
- Screening equal to 60 percent opacity is required around parking lots and loading areas in order to screen them from a public street, sidewalk or pathway. The area in between the parking and loading area and the property line will be landscaped. The landscaping will be graded to screen the parking and loading areas from West 31st Street.
- For each 25 linear feet along a public street, sidewalk or pathway, at least one tree needs to be provided. This requirement is being met.
- In parking lots of 10 spaces or more, no parking space shall be located more than 50 feet from an on-site deciduous tree. In addition, tree islands in parking lots must have a minimum width of 7 feet in any direction. Both of these conditions are being met.

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:

- The site is currently 98.4 percent impervious. Currently, all stormwater runoff flows directly to the City's storm sewer system. As part of the development the site's impervious surface areas will be reduced to 92.6 percent by adding approximately 16,450 square feet of green space. In addition, underground chambers will be installed below the landscape areas along West 31st Street and along the east side of the parking ramp that are designed to provide rate control, water quality treatment and enable infiltration of the stormwater.
- The lighting plan that was submitted as part of the application materials complies with the requirements of Chapter 535.
- This building should not block views of important elements in the city.
- According to the shadow analysis that was submitted by the applicant, portions of the lower density residential neighborhood to the east and the higher density housing developments to the north will be shadowed at different times throughout the year. However, the length of time that any one residential building is shadowed on any given day is minimal.
- This building 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 windows where people can see in and out along all levels of the building and there are lights located near all of the pedestrian entrances and throughout the parking ramp.
- None of the buildings that are proposed to be demolished are historically designated. As part of the site review work in 2005 it was once thought that the building located at 3045 Hennepin Avenue may be a potential historic resource but after evaluating a report generated by Hess Roise it was determined that the building is not a historic resource.

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:** The PUD, multiple-family developments over five units, major sports and health facilities and extension of hours are conditional uses in the C3A zoning district. General retail sales and services uses are permitted in the C3A District.
- **Off-Street Parking and Loading:**

Parking: The total parking requirement for the development is 1,068 parking spaces. After completion of both phases of the development the applicant proposes to have a total of 885 parking spaces on the site which is 183 spaces less than what is required.

Loading: The loading requirement for this development is three small loading spaces (10 feet wide by 25 feet long) and three large loading spaces (12 feet wide by 50 feet long). There are three loading facilities on the site; two are existing and one is proposed. Of the two existing loading facilities one is located on the south side of the shopping center facing West 31st Street and the other is located on the northeast corner of the shopping center facing vacated Girard Avenue South. Both of the existing loading facilities accommodate two large loading spaces. The third loading facility will be located on the south side of the new mixed-use building along West Lake Street and will accommodate one large loading space.

- **Maximum Floor Area:** The maximum FAR in the C3A zoning district is 2.7. The lot in question is 279,626 square feet in area. The applicant proposes a total of 452,021 square feet of gross floor area, an FAR of 1.62.

In the C3A zoning district, the maximum floor area of retail sales and services uses cannot exceed 4,000 square feet. If there is no parking located between the building and the street the maximum floor area of the retail sales and services uses can be increased to 6,000 square feet. And if there is no parking located between the building and the street and the building is at least two stories in height the maximum floor area of the retail sales and services uses may be increased to 8,000 square feet. Along West 31st Street there is a surface parking area located between the building and the street. Given this the maximum floor area of the retail sales and services uses located within the shopping center may not exceed 4,000 square feet.

Through the conditional use permit application for the PUD the Planning Commission may authorize an increase in the maximum gross floor area for individual uses up to 20 percent. If this increase were authorized the retail sales and services uses could be 4,800 square feet in size. The Planning Division believes that this development does qualify for the floor area increase given the amenities provided. Such amenities include; the renovation and reuse of Calhoun Square, designated seating areas within the shopping center, a mix of uses within the PUD, structured parking facilities for all uses within the PUD, an integrated transit shelter within the building, bicycle parking scattered around the site, increased green space on the site, an underground chamber system for stormwater runoff, the pedestrian plaza along vacated Girard Avenue South and the stepped back design of the two mixed-use buildings.

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The applicant has applied for a variance to increase the size of the retail spaces greater than 4,800 square feet. Specifically, the applicant has requested a variance to increase the size of 20 retail sales and services uses of which not more than six would exceed 9,600 square feet. The applicant has not indicated how large these six spaces would be. Please note that the limitation on the maximum floor area does not apply to food and beverage uses.

- **Building Height:** The height requirement in the C3A zoning district is four stories or 56 feet, whichever is less. The zoning code limits the height of a story to no more than 14 feet. Any story over 14 feet in height is technically considered two stories. The majority of the existing shopping center is three stories in height as the first floor of the building is 16 feet high however, the northwest corner of the building is four stories in height as there is an additional floor in this location. The first floor of the addition to the shopping center along West Lake Street is 15 feet in height and the second floor of the addition in this same location is 14.6 feet in height so technically this portion of the building is also four stories in height. The overall height of both the existing shopping center and the addition to it along West Lake Street is less than 56 feet in height.

The first and second floors of the new mixed-use buildings located on the corner of Hennepin Avenue South and West 31st Street and along West Lake Street both exceed 14 feet in height. The building on the corner of Hennepin Avenue South and West 31st Street has a total height of seven stories or 64 feet but realistically will be a five floor building. And the building located along West Lake Street has a total height of nine stories or 85 feet but realistically will be a seven floor building.

- **Minimum Lot Area:** The minimum lot area for a Planned Unit Development in any zoning district is two acres. This site is 279,626 square feet (6.42 acres). The minimum lot area per dwelling unit in the C3A zoning district is 900 square feet. With 108 proposed dwelling units on a lot of 279,626 square feet, the applicant proposes approximately 2,589 square feet of lot area per dwelling unit
- **Yard Requirements:** For developments containing residential uses with windows facing an interior side yard or rear yard in the C3A zoning district the front yard and corner side yard setback requirements are zero feet and the interior side yard and rear yard setback requirements are $5+2x$, where x equals the number of stories above the first, provided the minimum setback shall not be greater than 15 feet.

As stated above, typically the C3A zoning district requires a zero foot front yard setback. However, because the properties to the south of the site along Fremont Avenue South are zoned R3, Multiple-family District, the required setback is equal to the lesser of the front yard required by the residential district or the established setback of the structure for the first 40 feet north of the south property line. The front yard setback in the R3 zoning district is 20 feet but the adjacent residential structure is located 17 feet from the front property line so the front yard setback is 17 feet. All of the required setbacks for the development are being met.

- **Specific Development Standards:** There are no specific development standards for residential uses. Some commercial uses that locate within the building may be subject to specific development standards but those uses are unknown at this time. All food and beverage uses are required to inspect the premises, all adjacent streets, sidewalks and alleys and all sidewalks and alleys within one hundred feet regularly for purposes of removing any litter found thereon.

- **Hours of Operation:** Residential uses are not subject to hours of operation. The hours of operation for the C3A District are Sunday through Saturday, 6 am to 1 am. The applicant has indicated that the commercial uses within the building will comply with these hours of operation unless extended by the Licensing Department of the City of Minneapolis. The applicant is requesting a conditional use permit to extend the hours of operation for the major sports and health facility beginning at 5 am Monday through Friday
- **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, except wall signs for retail sales and services uses are limited to 45 square feet in size. Projecting signs are limited to 45 square feet in size. There is no height limitation for either wall signs or projecting signs however, neither are permitted to extend above the roofline of the building. Freestanding signs are limited to 80 square feet and can be no taller than 25 feet. The zoning code also limits the number of freestanding signs on a zoning lot to one.

The applicant is not proposing to have any freestanding signs on the site. The applicant has submitted a sign plan that illustrates how much signage is allowed per primary building wall and how much signage is currently on the building. The applicant has not submitted a sign plan that shows where all of the new signage will be located but the applicant has indicated that the final sign plan will conform to the sign regulations of Chapter 543, On-premise Signs.

- **Refuse storage:** The applicant is proposing to have trash facilities located throughout the development for the various uses. All trash will be collected from the loading dock areas within the development.

MINNEAPOLIS PLAN:

The site is located on the southeast corner of West Lake Street and Hennepin Avenue South. West Lake Street is a designated Commercial Corridor and Hennepin Avenue South is a designated Community Corridor. Please note that north of West Lake Street Hennepin Avenue South is a designated Commercial Corridor but south of West Lake Street it is a designated Community Corridor. The intersection of West Lake Street and Hennepin Avenue South is also a designated Activity Center. According to the principles and policies outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Encourage both private and public development that provides gathering spaces in city neighborhoods (Policy 1.2).
- Minneapolis will coordinate land use and transportation planning on designated Community Corridors through attention to the mix and intensity of land uses, the pedestrian character and residential livability of the streets, and the type of transit service provided on these streets (Policy 4.2).
- Support the continued presence of small-scale retail sales and commercial services along Community Corridors (Implementation Step for Policy 4.2).

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- 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 (Policy 4.3).
- Develop parking facilities and management strategies that balance the following goals: improved customer access, protection of sidewalk traffic, reduced visual impacts and shared use of parking facilities (Implementation Step for Policy 4.3).
- Ensure that parking structures and surface lots conform with identified design principles (Implementation Step for Policy 4.3).
- Continue to provide a wide range of goods and services for city residents, to promote employment opportunities, to encourage the use and adaptive reuse of existing commercial buildings, and to maintain and improve compatibility with surrounding areas (Policy 4.4).
- Identify and support Activity Centers by preserving the mix and intensity of land uses and enhancing the design features of each area that give it a unique and urban character (Policy 4.7).
- Require that buildings in Activity Center districts incorporate a pedestrian orientation at the street level (Implementation Step for Policy 4.7).
- Support efforts that recognize both the increased visibility and importance of corner properties and the role of gateways in enhancing traditional neighborhood character (Policy 9.10).
- Support urban design standards that emphasize a traditional urban form in commercial areas (Policy 9.11).
- Protect residential areas from the negative impact of non-residential uses by providing appropriate transitions (Policy 9.15).
- Encourage new development to use human scale design features and incorporate sunlight, privacy, and view elements into building and site designs (Policy 9.17).

The Planning Division believes that the proposed project is in conformance with the above policies of *The Minneapolis Plan*.

The Uptown Small Area Plan was adopted by the Minneapolis City Council on February 1, 2008. In the plan the majority of the Calhoun Square site is located in the area designated as the Activity Center. However, a small portion of the site located to the east of the vacated alley along Fremont Avenue South is located in the area designated as the Urban Village. The plan recognizes that Calhoun Square is a major asset to the Uptown area and that it should remain an anchor for restaurants and commercial businesses. The plan suggests that housing and office uses be added to the site to ensure that the site remain active 24 hours a day.

The plan talks about what any future redevelopment of the shopping center should look like (it should be noted that the site was changing ownership during the planning process for the Uptown Small Area Plan and that the future plans for the site were not known). It indicates that the site should be more urban and interact better with the surrounding streets. It says that the businesses within the building should open up to the sidewalks and that the sidewalks around the site should be made wider. The plan calls for a redesigned interior of the shopping center with programmable spaces that can accommodate a range of uses, including families. The plan also calls for a pedestrian plaza along vacated Girard Avenue South that will act as a walkway between the Mozaic development and Calhoun Square. The heights discussed in the plan for both the Activity Center and the Urban Village are preferred to be three to five stories but suggests that there are opportunities for buildings up to 84 feet in height along the major corridors.

major corridors. However, the plan suggests that buildings up to 56 feet in height are more appropriate on the south side of West Lake Street in order to create better transitions into the neighborhood fabric.

The Planning Division believes that the proposed project is in conformance with the above policies of the *Uptown Small Area Plan*. Although the proposed heights for the development are taller than what the plan calls for it does acknowledge the past approvals for this development and does not suggest that the past approvals be revisited.

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 first floor of the building shall be located not more than eight feet from the front lot line. If located on corner lot, the building wall abutting each street shall be subject to this requirement:** The new mixed-use buildings and the majority of the infill areas of the shopping center will all be built within eight feet of the front property line. However, the infill area along Hennepin Avenue South nearest West 31st Street will be setback 15 feet from the property line. There will be landscaping and benches provided in the area between the building and the property line but the majority of the space will be left open to provide more room for pedestrians along the public sidewalk and an informal public gathering space of approximately 1,230 square feet near one of the principal entrances to the shopping center along Hennepin Avenue South.

PRELIMINARY PLAT - PL-178

Required Findings:

1. **The subdivision is in conformance with these land subdivision regulations, the applicable regulations of the Zoning Code and policies of the Comprehensive Plan.**

DESIGN REQUIREMENTS

Planned Commercial Developments are exempt from the requirement requiring frontage on a public street. However, this site does have frontage on four public streets.

The platting of the property does not result in more than one zoning classification on a single lot.

No nonconforming structures or uses result from this application.

RESIDENTIAL DEVELOPMENT DESIGN

Planned Commercial Developments are exempt from these requirements.

ZONING CODE

With the approval of the conditional use permits, the variances, the site plan review and the preliminary plat this development will meet the applicable regulations of the C3A zoning district.

THE MINNEAPOLIS PLAN

The site is located on the southeast corner of West Lake Street and Hennepin Avenue South. West Lake Street is a designated Commercial Corridor and Hennepin Avenue South is a designated Community Corridor. Please note that north of West Lake Street Hennepin Avenue South is a designated Commercial Corridor but south of West Lake Street it is a designated Community Corridor. The intersection of West Lake Street and Hennepin Avenue South is also a designated Activity Center. According to the principles and policies outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Minneapolis will coordinate land use and transportation planning on designated Community Corridors through attention to the mix and intensity of land uses, the pedestrian character and residential livability of the streets, and the type of transit service provided on these streets (Policy 4.2).
- 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 (Policy 4.3).
- Continue to provide a wide range of goods and services for city residents, to promote employment opportunities, to encourage the use and adaptive reuse of existing commercial buildings, and to maintain and improve compatibility with surrounding areas (Policy 4.4).
- Identify and support Activity Centers by preserving the mix and intensity of land uses and enhancing the design features of each area that give it a unique and urban character (Policy 4.7).
- Minneapolis will grow by increasing its supply of housing (Policy 4.9).

The Planning Division believes that the proposed project is in conformance with the above policies of *The Minneapolis Plan*.

The Uptown Small Area Plan was adopted by the Minneapolis City Council on February 1, 2008. In the plan the majority of the Calhoun Square site is located in the area designated as the Activity Center. However, a small portion of the site located to the east of the vacated alley along Fremont Avenue South is located in the area designated as the Urban Village. The plan recognizes that Calhoun Square is a major asset to the Uptown area and that it should remain an anchor for restaurants and commercial

businesses. The plan suggests that housing and office uses be added to the site to ensure that the site remain active 24 hours a day.

The plan talks about what any future redevelopment of the shopping center should look like (it should be noted that the site was changing ownership during the planning process for the Uptown Small Area Plan and that the future plans for the site were not known). It indicates that the site should be more urban and interact better with the surrounding streets. It says that the businesses within the building should open up to the sidewalks and that the sidewalks around the site should be made wider. The plan calls for a redesigned interior of the shopping center with programmable spaces that can accommodate a range of uses, including families. The plan also calls for a pedestrian plaza along vacated Girard Avenue South that will act as a walkway between the Mozaic development and Calhoun Square. The heights discussed in the plan for both the Activity Center and the Urban Village are preferred to be three to five stories but suggests that there are opportunities for buildings up to 84 feet in height along the major corridors. However, the plan suggests that buildings up to 56 feet in height are more appropriate on the south side of West Lake Street in order to create better transitions into the neighborhood fabric.

The Planning Division believes that the proposed project is in conformance with the above policies of the *Uptown Small Area Plan*. Although the proposed heights for the development are taller than what the plan calls for it does acknowledge the past approvals for this development and does not suggest that the past approvals be revisited.

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

The Planning Division does not believe that a planned commercial development including approximately 239,184 square feet of commercial space and 108 dwelling units would be injurious to the use and enjoyment of other property in the area. The mix of retail sales and services uses, food and beverage uses, the major sports and health facility and the residential component of the development will blend nicely with those uses already located in and around Calhoun Square.

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

The site is relatively flat. The Planning Division believes that the site can be developed upon and used safely.

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

The parcels created by this application present no foreseeable difficulties for this development. No significant alterations to the land appear necessary.

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

The Sewer Division of the Public Works Department will review and approve the drainage and sanitary system plans for this development prior to building permits being issued.

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 for a Planned Commercial Development including approximately 239,184 square feet of commercial space and 108 dwelling units located at 1301 West Lake Street, 1311 West Lake Street, 3008 Fremont Avenue South, 3012 Fremont Avenue South, 1323 West Lake Street, 1401 West Lake Street, 1409 West Lake Street, 3003 Hennepin Avenue, 3027 Hennepin Avenue, 3037 Hennepin Avenue, 3043 Hennepin Avenue and 3045 Hennepin Avenue 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. All food and beverage uses shall inspect the premises, all adjacent streets, sidewalks and alleys and all sidewalks and alleys within one hundred feet regularly for purposes of removing any litter found thereon.
3. A minimum of 60 bicycles shall be accommodated on the site in either lockers or bike racks.
4. The transit shelter located at the corner of Hennepin Avenue South and West Lake Street shall be enclosed with a glass wall and shall be internally lit and heated.
5. There shall be a minimum of three designated seating areas within the common interior corridor of Calhoun Square.

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 for 108 dwelling units located at 1301 West Lake Street, 1311 West Lake Street, 3008 Fremont Avenue South, 3012 Fremont Avenue South, 1323 West Lake Street, 1401 West Lake Street, 1409 West Lake Street, 3003 Hennepin Avenue, 3027 Hennepin Avenue, 3037 Hennepin Avenue, 3043 Hennepin Avenue and 3045 Hennepin Avenue 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.

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 for a shopping center located at 1301 West Lake Street, 1311 West Lake Street, 3008 Fremont Avenue South, 3012 Fremont Avenue South, 1323 West Lake Street, 1401 West Lake Street, 1409 West Lake Street, 3003 Hennepin Avenue, 3027 Hennepin Avenue, 3037 Hennepin Avenue, 3043 Hennepin Avenue and 3045 Hennepin Avenue 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.

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 for a for major sports and health facility located at 1301 West Lake Street, 1311 West Lake Street, 3008 Fremont Avenue South, 3012 Fremont Avenue South, 1323 West Lake Street, 1401 West Lake Street, 1409 West Lake Street, 3003 Hennepin Avenue, 3027 Hennepin Avenue, 3037 Hennepin Avenue, 3043 Hennepin Avenue and 3045 Hennepin Avenue 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.

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 for extended hours for the major sports and health facility from 5 am to 1 am Monday through Friday located at 1301 West Lake Street, 1311 West Lake Street, 3008 Fremont Avenue South, 3012 Fremont Avenue South, 1323 West Lake Street, 1401 West Lake Street, 1409 West Lake Street, 3003 Hennepin Avenue, 3027 Hennepin Avenue, 3037 Hennepin Avenue, 3043 Hennepin Avenue and 3045 Hennepin Avenue 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.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the variance application of the PO Pedestrian Oriented Overlay District standards located at 1301 West Lake Street, 1311 West Lake Street, 3008 Fremont Avenue South, 3012 Fremont Avenue South, 1323 West Lake Street, 1401 West Lake Street, 1409 West Lake Street, 3003 Hennepin Avenue, 3027 Hennepin Avenue, 3037 Hennepin Avenue, 3043 Hennepin Avenue and 3045 Hennepin Avenue.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the variance application to increase the gross floor area of individual retail sales and services spaces within the shopping center from the maximum 4,800 square feet located at 1301 West Lake Street, 1311 West Lake Street, 3008 Fremont Avenue South, 3012 Fremont Avenue South, 1323 West Lake Street, 1401 West Lake Street, 1409 West Lake Street, 3003 Hennepin Avenue, 3027 Hennepin Avenue, 3037 Hennepin Avenue, 3043 Hennepin Avenue and 3045 Hennepin Avenue subject to the following conditions:

1. No retail sales and services use shall exceed 30,000 square feet in size.
2. All ground floor retail sales and services tenants fronting along a public street shall have a public entrance facing the street and it shall remain open during the business' hours of operation.

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 a mixed-use development for the properties located at 1301 West Lake Street, 1311 West Lake Street, 3008 Fremont Avenue South, 3012 Fremont Avenue South, 1323 West Lake Street, 1401 West Lake Street, 1409 West Lake Street, 3003 Hennepin Avenue, 3027 Hennepin Avenue, 3037 Hennepin Avenue, 3043 Hennepin Avenue and 3045 Hennepin Avenue subject to the following conditions:

1. The applicant shall rebuild the alley per the 2006 approvals.
2. Architectural detailing shall be added to the south side of the mixed use building located along West Lake Street as required by Section 530.120 of the zoning code.
3. At least 40 percent of the window area in the commercial portions of the building facing the public streets shall allow views into and out of the building and be free of shelving, mechanical equipment or other similar fixtures that block views so as to comply with the regulations of Section 530.120 of the zoning code.
4. Approval of the final site, elevation and landscaping plans by the Department of Community Planning and Economic Development – Planning Division.
5. All site improvements shall be completed by February 25, 2010, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission **approve** the preliminary plat application for Calhoun Square located at located at 1301 West Lake Street, 1311 West Lake Street, 3008 Fremont Avenue South, 3012 Fremont Avenue South, 1323 West Lake Street, 1401 West Lake Street, 1409 West Lake Street, 3003 Hennepin Avenue, 3027 Hennepin Avenue, 3037 Hennepin Avenue, 3043 Hennepin Avenue and 3045 Hennepin Avenue subject to the following conditions:

1. The final plat shall meet all of the requirements of Chapter 598, Land Subdivision Regulations.

Attachments:

1. Memo from the applicant detailing changes to the plan
2. Statement of proposed use and description of the project
3. Conditional use permit and variance findings
4. Preliminary Plat findings, preliminary plat and memo from the City of Minneapolis Public Works - Right of Way office
5. Travel Demand Management Plan
6. December 26, 2007, letters to Council Member Remington and the CARAG
7. E-mail and attached statement from CARAG
8. Preliminary Development Review report
9. Zoning Map
10. Architectural and civil plans
11. Sign exhibit
12. Photos of the property
13. Perspective photos of the future development