

**Department of Community Planning and Economic Development – Planning Division**  
Conditional Use Permit  
BZZ-3549

**Date:** June 11, 2007

**Applicant:** Synergy Realty & Development, LLC.

**Address of Property:** 3207 Central Avenue Northeast

**Project Name:** St. Anthony on the Park

**Contact Person and Phone:** John Harriss with Harriss Architects, Inc., (612) 339-2190

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

**Date Application Deemed Complete:** May 16, 2007

**End of 60-Day Decision Period:** July 15, 2007

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

**Ward: 1      Neighborhood Organization:** Waite Park Community Council

**Existing Zoning:** OR2, High Density Office Residence District

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

**Zoning Plate Number:** 6

**Legal Description:** Not applicable for this application

**Proposed Use:** 30-unit condominium development

**Concurrent Review:**

**Conditional use permit:** to increase the height of the building from the permitted 4 stories/56 feet to 5 stories/59 feet to add a community room on the top of the building with access to the proposed green roof.

**Applicable zoning code provisions:** Chapter 525, Article VII, Conditional Use Permits

**Background:** In June of 2005, the Planning Commission approved a conditional use permit for 30 dwelling units, a front yard variance, a corner side yard variance and site plan review for this site. Since these approvals, the applicant has decided to market the building as a sustainable project and therefore is proposing to add a green roof to the building. In addition to the green roof the applicant is proposing to add a small community room to the top of the building. Because the community room is habitable space

a conditional use permit to increase the height of the building from the permitted 4 stories/56 feet is required. Please note that if the applicant was simply accessing the green roof by either the elevator or stair towers that the conditional use permit would not be necessary as these features are allowed to project above the roof without such permit.

The site was once occupied by the Washburn-McReavy funeral home. The applicant is proposing to demolish the existing building and construct a new 4-story, 30 unit condominium building. There will be 38 parking spaces located in one level of underground parking beneath the building. The parking garage will be accessed off of 32<sup>nd</sup> Avenue Northeast. The roof of the parking garage will be located between 1 and 3 feet below grade. On top of the parking deck the applicant is proposing to install a green roof system. The soil depth of the green roof system will be between 1 and 3 feet.

**CONDITIONAL USE PERMIT** - to increase the height of the building from the permitted 4 stories/56 feet to 5 stories/59 feet to add a community room on the top of the building with access to the proposed green roof

**Findings as Required by the Minneapolis Zoning Code:**

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

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

The Planning Division does not believe that increasing the height of the building from four stories/56 feet to five stories/59 feet would be detrimental to or endanger the public health, safety, comfort or general welfare. The proposed community room is located in the center of the building between the two stair towers. The addition of the green roof will not only provide outdoor living space for the residents of the building but will help with heat island alleviation and control stormwater runoff.

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

The location of the proposed community room on the roof of the building is such that it will only be visible when viewed from a distance away from the site. Given this the Planning Division does not believe that increasing the height of the building from four stories/56 feet to five stories/59 feet would be injurious to the use and enjoyment of other property in the vicinity and would not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.

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

Increasing the height of the building will have no impact on utilities, access roads or drainage.

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

Increasing the height of the building will have no impact on traffic congestion in the public streets.

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

The site is located on Central Avenue Northeast which is a designated Community Corridor. In addition, the site is located on the north side of Saint Anthony Parkway, an existing greenway. According to the principles and policies outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Encourage new development to use human scale design features and incorporate sunlight, privacy, and view elements into building and site designs (Policy 9.16).
- Encourage the design of all new buildings to fulfill light, privacy and view requirements for the subject building as well as for adjacent buildings (Implementation Step for Policy 9.16).
- Promote the preservation and enhancement of view corridors that focus attention on natural or built features, such as the downtown skyline, landmark buildings, significant open spaces or water bodies (Implementation Step for Policy 9.16).

The Planning Division believes that the proposed development is in conformance with the policies of *The Minneapolis Plan*. The majority of the building has been designed to meet the height requirements of the zoning code. The portion of the building that exceeds the height limitation is located in the center of the building between the two stair towers. The community room will be 662 square feet in size.

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

With the approvals granted in June of 2005 and the conditional use permit to increase the height of the building this development will meet the applicable regulations of the OR2 zoning district.

**In addition to the conditional use permit standards, the Planning Commission shall consider, but not be limited to, the following factors when determining the maximum height:**

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

Increasing the height of the proposed building to accommodate a small community room on the roof of the building will have little to no impact on the amount of light and air that surrounding properties receive. The portion of the building that exceeds the height limitation is located in the center of the building between the two stair towers. The building is meeting the required north interior side yard setback and rear yard setback.

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

The applicant did not submit a shadow study as part of this application. Increasing the height of the proposed building will produce little to no additional shadowing on residential properties or significant

public spaces as the fifth story of the building is located in the center of the roof. Again, the building is meeting the required north interior side yard setback and rear yard setback.

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

The scale of the buildings in this area range between one-and-a-half and two-and-a-half stories in height. The character of the buildings in the area are primarily residential in nature with some commercial buildings scattered along Central Avenue Northeast.

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

Constructing a building either four stories in height or five stories in height would block views of Columbia Golf Course, which is located on the west side of Central Avenue Northeast across from the site, from the residential properties to the east of the site given the scale of those properties.

**RECOMMENDATIONS**

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the conditional use permit application to increase the height of the building from the permitted 4 stories/56 feet to 5 stories/59 feet to add a community room on the top of the building with access to the proposed green roof located at 3207 Central Avenue Northeast.

**Attachments:**

1. Statement of proposed use and conditional use permit findings
2. May 16, 2007, letter to Council Member Ostrow and Waite Park Community Council, Columbia Park Neighborhood Association and Audubon Neighborhood
3. Zoning Map
4. Civil plans, site plan, landscaping plans, floor plans and elevations
5. Photographs of the site and surrounding area