

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permit
Variances
BZZ-1958

Date: September 27, 2004

Applicant: Minneapolis Public Housing Authority (MPHA)

Address of Property: 314 Hennepin Avenue

Project Name: MPHA on Hennepin

Contact Person and Phone: Ellen A. Luken, 612/630-0074

Planning Staff and Phone: Fred Neet, 612/673-3242

Date Application Deemed Complete: August 31, 2004

End of 60-Day Decision Period: October 30, 2004

End of 120-Day Decision Period: December 29, 2004

Ward: 5 **Neighborhood Organizations:** Downtown Minneapolis Neighborhood Association
North Loop Neighborhood Association

Existing Zoning: B4S-2 and Downtown Parking Overlay District

Zoning Plate Number: 19

Proposed Use: increase accessory parking from 55 to 76 stalls for a 299 unit apartment building

Concurrent Review: Conditional Use Permit to expand accessory parking in the Downtown Parking Overlay District, and Variances to add 21 parking spaces to the existing lot and to reduce the landscaping requirement from 20% to 17.4%.

Applicable zoning code provisions: Chapter 525, Article VII, Conditional Use Permits; Chapter 525, Article IX Variances, Specifically Sections 525.520(20)(25) [to vary overlay district standards and landscaping requirements].

Background: The Minneapolis Public Housing Authority constructed its 16-story, 299-unit apartment building with 55 parking stalls at 314 Hennepin Avenue in 1972. MPHA proposes to reconfigure the parking lot to accommodate 76* parking stalls and to include the following features.

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Landscaping will be enhanced and coordinated with existing streetscape improvements along Hennepin Avenue. 37 trees and 245 shrubs will be planted along with numerous flowering perennials and ornamental railings with brick piers. These include sidewalk trees in coordination with the Park Board and in compliance with city standards. An irrigation system will be installed. Access to the main parking lot from Hennepin Avenue will be closed. The bus shelter will be moved from mid-block toward the 4th Street intersection. Street lighting will be provided per city requirements.

* 1. MPHA shows 77 spaces. However, the parallel parking at the northwest corner must be reduced by one, to 76, to achieve lengths of 21 feet minimum.

2. Public Works states that a 12-foot drive aisle be provided between the two driveways nearest 4th Street (southeast area of the site). This would eliminate 4 parking spaces as shown.

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Findings as required by the Minneapolis Zoning Code:

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

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

The improvements to the existing parking lot and the establishment of the new parking lot should not be detrimental if they are properly landscaped, screened, lighted and drained. Significant landscaping improvements will be made to the existing parking lot. Even though the percentage of landscaping is less than 20%, it is slightly increased from the current 17.37% to 17.43%.

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 proposed parking should not hinder normal or orderly development. The provision of landscaping, screening, and lighting should mitigate the impacts of the parking lot and encourage other owners of surface parking lots to consider improvements. The requirement that the alley cannot be used for circulation of the parking lot should improve the safety of the area.

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

All utilities and roads are existing. Drainage for the parking lots will meet Public Works standards.

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

Additional off-street parking is proposed which will reduce traffic and parking congestion on surrounding downtown streets. Closure of the Hennepin Avenue curb cut will improve traffic and transit flow on that two-way street.

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

9.12 Minneapolis will promote design solutions for automobile parking facilities that reflect principles of traditional urban form. This includes landscaping of parking lots

4.1 Minneapolis will encourage reinvestment along major urban corridors as a way of promoting growth in all neighborhoods. MPHA's reinvestment includes landscaping and other site amenities along Hennepin Avenue.

4.12 Minneapolis will both assume its appropriate responsibility for improving housing options among those with few or constrained choices, and collaborate with partners at the regional, state, federal and local level to assure that appropriate solutions are pursued throughout the region.

9.6 Minneapolis will work with private and other public sector partners to invest in new development that is attractive, functional and adds value to the physical environment.

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

Additional parking for public housing residents improves their residential situation. MPHA is a public sector partner. The improvements proposed are functional, attractive, and add value to the physical environment.

The proposed development is also consistent with the following policies from the *Minneapolis Downtown 2010 Plan*:

Supporting Policies:

- Encourage improvements to the public right of way that support pedestrian and transit circulation and that beautify downtown.
- Support private use of the public right of way where it adds interest and vitality to the pedestrian environment.

The development is consistent with the following policies specified for Hennepin Avenue in the *North Nicollet Mall Development Objectives*:

Supporting Policies:

- Street trees and pedestrian-scale streetlights shall be included along Hennepin Avenue.
- 6.1.2 *Public improvements and landscaping* – Public improvements such as landscaping, lighting, and street furniture should be sensitive to the surrounding context. Given the prominence of this district in downtown, distinctive public improvements and landscaping are encouraged. In the blocks along Hennepin Avenue that are considered an extension to the present Entertainment District (south of Washington Avenue), non-traditional public improvements and landscaping are possible.
- 6.2.8 Access to parking facilities will not be permitted along South 5th Street, Washington Avenue South, Nicollet Mall, and Hennepin Avenue.

However, the *Downtown East/North Loop Master Plan* discourages additional surface parking. Planning staff notes that MPHA could lease parking spaces in city ramps which are two blocks away, that a light rail station is one block away, Hennepin Avenue is a major transit corridor, and numerous other, major bus lines are within two blocks.

6. And, does in all other respects conform to the applicable regulations of the district in which it is located upon approval of this conditional use permit.

The zoning office confirms the property has an approved conditional use permit for its use, and complies with the regulations of the B4S-2 district. The site plan proposed complies with current landscaping and screening requirements the approval of the following variance.

Variances

Findings Required by the Minneapolis Zoning Code:

- A. allow the addition of one more parking space (21) than allowed in the Downtown Parking Overlay District, and
- B. allow 17.43% landscaping rather than 20%.

- A. allow the addition of one more parking space (21) than allowed in the Downtown Parking Overlay District

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.

Additional parking, which is less than current requirements, is a reasonable use. Inadequate provision of parking – 55 spaces for 299 dwelling units – is the existing hardship to be reduced. Additional parking with enhanced landscaping is not required, but improve the property.

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.

The MPHA legally created the existing circumstance. The parcel is public housing established in 1972, and the MPHA asserts that larger numbers of public housing residents, including on this site, own automobiles.

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.

The variances requested reduce nonconformance from current regulations; they do not increase them. Fewer automobiles will be parked on the street.

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.

Street congestion will be reduced. Public Works, Fire, and Police Departments have approved the site plan as submitted.

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B. allow 17.43% landscaping rather than 20%.

- 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.**

Landscaping is not only reasonable but required of larger surface parking lots. Strict adherence would eliminate parking spaces for residents, parking which is already inadequate. Proposed landscaping increases the amount and quality over existing landscaping.

- 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.**

The MPHA legally created the existing circumstance. The parcel is public housing established in 1972, and the MPHA asserts that larger numbers of public housing residents, including on this site, own automobiles. Provision of 17.43% landscaping appears preferable to reduction of off-street parking available to residents.

- 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.**

The variances requested reduce nonconformities from current regulations; they do not increase them. Landscaping enhancements in particular could encourage similar efforts for area property owners.

- 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.**

Street congestion will be reduced. Public Works, Fire, and Police Departments have approved the site plan as submitted.

RECOMMENDATIONS

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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 to improve the existing parking lot in the Downtown Parking Overlay District at 314 Hennepin Avenue.

Variations

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the variance to add 21 parking spaces (to total 76) to the existing parking lot at 314 Hennepin Avenue.

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the variance to reduce the landscaping requirement from 20% to 17.4% on the existing parking lot at 314 Hennepin Avenue.

Attachments: applicant's statement
neighborhood approval
zoning map
plans
photographs