

**Department of Community Planning and Economic Development – Planning Division**  
Site Plan Review  
BZZ-2773

**Date:** January 23, 2006

**Applicant:** Stuart Ackerberg with The Ackerberg Group and James Geimer with Village Green Companies

**Address of Property:** 3100 West Lake Street

**Project Name:** Lake Calhoun City Apartments

**Contact Person and Phone:** Gretchen Camp with BKV Group, Inc., (612) 339-3752

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

**Date Application Deemed Complete:** December 13, 2005

**End of 60-Day Decision Period:** February 11, 2005

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

**Ward:** 10      **Neighborhood Organization:** Cedar Isles Dean Neighborhood Association

**Existing Zoning:** OR2, High Density Office Residence District and SH Shoreland Overlay District

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

**Zoning Plate Number:** 23

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

**Proposed Use:** 163-unit apartment development and office building

**Concurrent Review:**

**Conditional use permit:** for a Planned Residential Development

**Site plan review**

**Preliminary RLS:** RLS-39

**Applicable zoning code provisions:** Chapter 525, Article VII, Conditional Use Permits, Chapter 527, Planned Unit Development and Chapter 530, Site Plan Review.

**Background:** The City Planning Commission approved the site plan review as well as other land use applications for this development on August 1, 2005. Since that meeting, the applicant has decided that instead of having one curb cut along West Lake Street that they want to maintain the two existing

curb cuts along West Lake Street. The Planning Division has made the determination that this is a major change to the site plan and therefore needs to be reviewed by the City Planning Commission again. The applicant has identified several reasons why they are proposing this change. See the attached letter dated December 9, 2005. Please note that the Traffic and Parking division of Public Works is alright with either curb cut scenario.

The site is currently occupied by the Lake Pointe Corporate Center office building, a small detached parking garage and a surface parking lot. The existing office building will remain on the site. The applicant is proposing to demolish the parking garage and the surface parking lot and construct a 158-unit apartment development. There will be a total of 152 apartments and 6 rental townhouses. There will be a total of 306 parking spaces located in an underground parking garage and 30 surface parking spaces for visitors. The office building and the residential building will be connected to one another via a one-story link. The office tenants will utilize one level of the parking garage and the residents will utilize the remaining parking spaces.

### **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 FACADE:**

- 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 building does not reinforce the street wall but it does maximize natural surveillance and facilitates pedestrian access. The building will be constructed behind the existing Lake Pointe Corporate Center office building. The closest wall of the residential building is located approximately 350 feet from the front property line. The Planning Division is recommending that the commission grant alternative compliance to allow the new building to be located more than 8 feet from the front property line.
- The principal entrance to the office building faces West Lake Street and is setback approximately 165 feet from the front property line along West Lake Street. The principal entrance to the residential building faces the east interior property line and is setback over 500 feet from the front property line along West Lake Street. The Planning Division is recommending that the commission grant alternative compliance to allow the principal entrance to not face the front property line given that the new building will be built in back of the existing office building on the site.
- The majority of the parking for the development is located in two levels of enclosed parking beneath the building. There will be three areas of parking outside for visitors. One of the parking areas is located on the south side of the office building, another is located on the east side of the office building and the other is located on the east side of the site opposite of the principal entrance to the residential building.
- The exterior materials of the residential building will be cast stone, split-face concrete block, brick, cement board siding and metal. All four sides of the building will be compatible with one another.
- There are no blank, interrupted walls over 25 feet in length void of any windows, entries, recesses or projections, or other architectural elements.
- At least 20 percent of the first floor and at least 10 percent of the upper floors of the east and north walls of the building are required to be windows.
  - East building wall: The percentage of windows on the first floor of the building is 23 percent and all of the upper floors of the building contain more than 10 percent windows.
  - North building wall: the percentage of windows on the first floor of the building is 41 percent and all of the upper floors of the building contain more than 10 percent windows.
- The windows in the building are vertical in nature and are evenly distributed along the building walls.
- The roof line of the building will be flat. The existing office building on the site has a flat roof as do other buildings in the area.

**ACCESS AND CIRCULATION:**

- **Clear and well-lighted walkways of at least four (4) feet in width shall connect building entrances to the adjacent public sidewalk and to any parking facilities located on the site.**

- **Transit shelters shall be well lighted, weather protected and shall be placed in locations that promote security.**
- **Vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and surrounding residential uses.**
- **Traffic shall be directed to minimize impact upon residential properties and shall be subject to section 530.150 (b) related to alley access.**
- **Site plans shall minimize the use of impervious surfaces.**

**PLANNING DEPARTMENT RESPONSE:**

- The entrances to both the office building and the residential building are connected to the public sidewalk along West Lake Street by a series of walkways and lawn areas. Please note that a portion of these connections cross over the drive aisle. The Planning Division is recommending that the proposed walkway near the western property line connect directly to the public sidewalk along West Lake Street instead of ending at the drive aisle in front of the office building.
- There are no transit shelters on or adjacent to the site.
- The majority of the parking for the development is located in two levels of enclosed parking beneath the building. There will be three areas of parking outside for visitors.
- The applicant is proposing to maintain the two existing curb cuts along West Lake Street instead of consolidating them into one curb cut as originally proposed. Section 530.150(a) of the zoning code indicates that, “Curb cuts for vehicles shall be consolidated wherever possible.” The original site plan showed one curb cut with a total width of 35 feet. The two curb cuts have a total width of 44 feet (19 feet and 26 feet). Constructing one curb cut on the site would require the construction of a deceleration lane in order to allow vehicles time to slow down before turning into the site. This would improve traffic flow along West Lake Street as vehicles now have to decelerate in the far right lane of West Lake Street which has the potential to cause traffic problems in the street. In addition, by maintaining the two curb cuts on the site it leads to vehicular conflict in relation to the parking area located on the south side of the office building as vehicles are entering the site on both sides of the parking area as vehicles are also maneuvering in and out of the parking spaces. The Planning Division is recommending that the two existing curb cuts be consolidated into one curb cut along West Lake Street.
- Forty percent of the overall site is pervious. The impervious surface and landscaping requirements for this site are being met.

**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 171,238 square feet. The footprint of the building is 53,528 square feet. When you subtract the footprint from the lot size the resulting number is 117,710 square feet. Twenty percent of this number is 23,542 square feet. The applicant has a total of 68,200 square feet of landscaping, or 58 percent of the site not occupied by the building.
- 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 47 and 235 respectfully. The applicant is providing a total of 66 canopy trees, 17 evergreen trees, 290 shrubs and 952 perennials, flowers and ornamental grasses.
- The parking area located on the south side of the office building contains 13 parking spaces. Each parking space is located within 50 feet from an on-site deciduous tree.
- The applicant is proposing to construct a 4-foot high decorative stone wall located on the north side of the water feature at the south end of the site. In addition, the applicant is proposing to construct a five-foot high fence at the front of the parking spaces located on the east side of the site opposite of the entrance to the residential building. Both of the fences are in compliance with the requirements of the zoning code.

**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.**

- **Lighting shall comply with the requirements of Chapter 535 and Chapter 541. A lighting diagram may be required.**
- **Parking and loading facilities and all other areas upon which vehicles may be located shall be screened to avoid headlights shining onto residential properties.**
- **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 majority of the stormwater runoff will be drained to a StormTech system that will be installed on the site. The remainder of the stormwater runoff will be directed to the green space on the site.
- A lighting plan showing footcandles was not submitted as part of the application materials. The Planning Division is recommending that the applicant submit a lighting plan so staff can verify that the lighting levels comply with the requirements of Chapter 535.
- This building should not block views of important elements in the city. Although there are residential uses located on the north side of the greenway from the site, there are existing office buildings located along West Lake Street and Excelsior Boulevard that are between them and Lake Calhoun.
- This building should have minimal light and air effects on the surrounding area.
- This building should have minimal wind effects on the surrounding area.
- The Crime Prevention Specialist has reviewed the project in regards to crime prevention design elements. To be in compliance with the CPTED guidelines, the landscaping plan should maintain a “window” into the site between 3 and 6 feet and should deter peoples from congregating around the stormwater pond, proper lighting should be located over all building entrances and exits and only residents should have access to the residential portion of the building.
- This site is neither historically designated nor located in a historic district.

**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 proposed use is conditional in the OR2 District.
- **Off-Street Parking and Loading:** The zoning code requires 0.9 parking spaces per dwelling unit and 1 space per 300 square feet of gross floor area over 4,000 square feet for office space. The office building is 48,736 square feet in size and there are 158 dwelling units in the development. The resulting parking requirement for this development is 291 spaces; 149 spaces for the office component and 142 spaces for the residential component. In total, there will be 306 parking spaces located in an underground parking garage and 30 surface parking spaces for visitors. The Planning Division is recommending that at least 149 of the parking spaces be designated for the office component of the development. There will be a shared loading facility (10 feet in width by 25 feet in length) located in the link area of the building.
- **Maximum Floor Area:** The maximum FAR in the OR2 zoning district is 2.5. The lot in question is 171,238 square feet in area. The applicant proposes a total of 218,605 square feet of gross floor area, an FAR of 1.28.
- **Building Height:** Building height in the OR2 District is limited to 4 stories or 56 feet, whichever is less. Building height in the SH Shoreland Overlay District is limited to 2 stories or 35 feet, whichever is less. The applicant is proposing a 5-story building.
- **Minimum Lot Area:** The minimum lot area per dwelling unit in the OR2 zoning district is 700 square feet. With 158 proposed dwelling units on a lot of 117,238 square feet, the applicant proposes 742 square feet of lot area per dwelling unit.
- **Yard Requirements:** This development is located in the OR2 zoning district. The interior side yard and rear yard setback requirements for this development are  $5+2x$ , where  $x$  equals the number of stories above the first floor. The resulting setback along these three sides of the building is 13 feet. This development meets all of the setback requirements.
- **Specific Development Standards:** The specific development standards for a Planned Residential Development are those standards as identified in Chapter 527, Planned Unit Development. These standards were discussed in the August 1, 2005, staff report.
- **Hours of Operation:** Residential uses are not subject to hours of operation. The hours of operation for the office component of the development are Sunday through Thursday, 7 am to 10 pm and Friday and Saturday, 7 am to 11 pm.
- **Signs:** Signs are subject to the requirements of Chapter 543 of the Zoning Code. Given the size of the building the applicant can have up to 612 square feet of signage on the site. The applicant is proposing to have three signs on the site. One is the existing freestanding sign which identifies the office portion of the development. This sign is approximately 75 square feet in size. The second is proposed to be a wall sign attached to a new stone wall located on the north side of the water feature at the south end of the site. Individual letters identifying the residential portion of the development will be attached to the wall and lit from ground lights. This sign is proposed to

be 69 square feet in size. The third sign will be a wall sign located over the residential entrance to the building. This sign is proposed to be 42 square feet in size.

- **Refuse storage:** The applicant is proposing to have a dumpster located inside the parking garage.

**MINNEAPOLIS PLAN:**

The site is designated as services - commercial in the comprehensive plan. This site is located on West Lake Street which is a designated Commercial Corridor. In addition, the site is located on the south side of the Midtown Greenway, an existing greenway. According to the principles and policies outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Promote the use of progressive design guidelines and street-oriented building alignments to maximize compatibility with surrounding neighborhoods (Implementation Step for Policy 9.6).
- Maintain and strengthen the character of the city's various residential areas (Policy 9.8).
- Infill development standards must reflect the setbacks, orientation, pattern, materials, height and scale of surrounding dwellings (Implementation Step for Policy 9.8)
- Support urban design standards that emphasize a traditional urban form in commercial areas (Policy 9.11).

The applicant is proposing to construct a 158-unit apartment building on the back portion of a property with an existing office building on it. The setback, orientation, materials and height of the building will be compatible with the surrounding structures. The Planning Division believes that this development is in compliance with the foregoing policies of the comprehensive plan.

**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 Planning Division is recommending that the Planning Commission grant alternative compliance to allow the new building to be located more than 8 feet from the front property line.

Without removing the existing Lake Pointe Corporate Center office building the building could not be built within 8 feet of the front property line.

- The Planning Division is recommending that the Planning Commission grant alternative compliance to allow the principal entrance to face the east interior property line. The office building is located between the street and the residential building. This building has an entrance that faces West Lake Street.

## **RECOMMENDATIONS**

### **Recommendation of the Department of Community Planning and Economic Development – Planning Division for the site plan review:**

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the site plan review for the property located at 3100 West Lake Street subject to the following conditions:

1. The proposed walkway near the western property line shall connect directly to the public sidewalk along West Lake Street instead of ending at the drive aisle in front of the office building.
2. The two existing curb cuts along West Lake Street shall be consolidated into one curb cut.
3. The applicant shall submit a lighting plan that complies with the lighting level requirements of Chapter 535.
4. Approval of the final site, landscaping and elevation plans by the Department of Community Planning and Economic Development – Planning Division.
5. All site improvements shall be completed by January 23, 2008, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

Department of Community Planning and Economic Development – Planning Division  
BZZ-2773

**Attachments:**

1. Letter from the property owners authorizing the application
2. Letter from the applicant describing the changes to the site plan
3. December 29, 2005, letter to CM Don Remington
4. December 29, 2005, letter to CIDNA
5. August 1, 2005, approved site plan
6. Comments from surrounding property owners/neighbors
7. Zoning Map
8. Site plan, floor plans and elevations
9. Sign information
10. Photographs of the site and surrounding area