

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permits and Site Plan Review
BZZ-5484

Date: March 5, 2012

Applicant: Hines Northstar Crossing Limited Partnership

Address of Property: 333 Washington Avenue North and 328 4th Street North

Project Name: North Loop Green PUD - Dock Street Apartments

Contact Person and Phone: Bob Pfefferle with Hines Northstar Crossing Limited Partnership, (612) 247-1269

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

Date Application Deemed Complete: February 17, 2012

End of 60-Day Decision Period: April 17, 2012

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

Ward: 7 **Neighborhood Organization:** North Loop Neighborhood Association

Existing Zoning: B4S-1 Downtown Service District and DP Downtown Parking Overlay District

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 13

Legal Description: Those portions of Blocks 10, 57 and 58, Hoag's Addition to Minneapolis; and those portions of Blocks 57 and 58, Town of Minneapolis; and those portions of Blocks 19, 21 and 22 in Bradford and Lewis Addition to Minneapolis; together with those portions of abandoned alleys, abandoned Fourth Avenue North, and abandoned Third Street North, all described as follows:

Lot 3, said Block 57; Lot 6, said Block 10; all in Hoag's Addition to Minneapolis; Those portions of Lots 4 and 5, said Block 10, lying Southeasterly of a line drawn parallel with and 25 feet southeasterly from the center line of the east bound track of the Burlington Northern Railroad, which lies Southwesterly of the Northeasterly right of way of Interstate Highway No. 94; The Northwesterly 62 feet of said Block 58, the Southeasterly line of said Northwesterly 62 feet is prolonged to terminate on the Northeasterly line of said Block 58; That part of Lot 10, Block 58, Town of Minneapolis, shown as Block 21 in the Plat of Bradford and Lewis Addition to Minneapolis; Together with that part of said abandoned Fourth Avenue North lying between a line drawn Northerly from the most Northerly corner of said Block 21, to the most Easterly corner of said Block 19 and the Northeasterly right of way line of Interstate Highway No. 94; Lots 1, 3 and 10; that part of Lot 2 lying Southeasterly of the Northwesterly

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23.3 feet of said Lot 2; that part of Lot 9 lying Southeasterly of the Northwesterly 22 feet of said Lot 9; all in said Block 57, Town of Minneapolis; Those portions of Lots 2, 15 and 16, Block 22, Bradford and Lewis Addition to Minneapolis, and that part of said Lot 5, Block 10, Hoag's Addition to Minneapolis, lying Northeasterly of the Northeasterly right of way line of Interstate Highway No. 94, together with that part of adjoining abandoned alleys in said Block 10 and 22, all which lie Southeasterly of a line hereinafter referred to as .LINE A. described as follows:

Beginning at a point on the Southwesterly line of said Block 10 distant 29.27 feet Northwesterly from the most Southerly corner of said Block 10; thence Northeasterly along a straight line to a point on the Southwesterly line of said Block 22 distant 107.48 feet Northwesterly from the most Southerly corner of said Block 22; thence Northeasterly along the prolongation of last described line 105.27 feet; thence Northeasterly along a non-tangential curve concave to the South having a radius of 1875.86 feet, the chord or said curve is measured 13 degrees 24 minutes 52 seconds to the right from said prolongation of the last described line to the Northeasterly line of said Block 22 and said .LINE A. there terminating. Lot 12, Block 19; Lot 1, Block 22; all in Bradford and Lewis Addition to Minneapolis; That part of abandoned Third Street North lying between .LINE A. and a line described as beginning at the most Southerly corner of Lot 1, Block 57, Town of Minneapolis; thence along the Southwesterly extension of the Southeasterly line of said Lot 1 to the center line of said street; thence Northwesterly along said center line to the Northeasterly prolongation of a line drawn Northeasterly from a point on the Southwesterly line of Block 58, Hoag's Addition to Minneapolis distant 293.1 feet Northwesterly from the most Southerly corner of said Block 58 to a point on the Northwesterly extension of the Northeasterly line of said Block 58 distant 290.15 feet Northwesterly from the most Easterly corner of said Block 58; thence Southwesterly along the last described line to said Northwesterly extension and there terminating;

Together with that part of said abandoned Third Street North lying Northeasterly of the center line of said Street which lies between the Southwesterly extension of the Southeasterly line of the Northwesterly 23.3 feet of Lot 2, said Block 57 and the Southwesterly extension of the Southeasterly line of Lot 3, Block 57, Town of Minneapolis to said center line and there terminating; That part of the Northeasterly half of the abandoned alley in Block 57, Town of Minneapolis, lying Northwesterly of the Southwesterly extension of the Southeasterly line of the Northwesterly 22 feet of Lot 9 in said Block 57, together with that part of the Southwesterly half of said abandoned alley lying Northwesterly of the Northeasterly extension of the Southeasterly line of the Northwesterly 23.3 feet of Lot 2, said Block 57.

Together with an easement for maintaining a building coping encroachment over the Northwesterly 0.2 feet of Lot 4, Block 57, Town of Minneapolis and over the Northwesterly 0.2 feet of Lot 4, Block 57, Hoag's Addition to Minneapolis, as created and more particularly described in the Easement recorded as Document No. 4447168 in the records of the County Recorder, as reformed in the Order and Decree of Registration recorded as Document No. 3204728 in the records of the Registrar of Titles, all in Hennepin County, Minnesota and shown by recital on certificate of title no. 1032399.

That part of vacated or abandoned Third Street North described as beginning at a point on the Northwesterly extension of the Northeasterly line of Block 58, Hoag's Addition to Minneapolis, distant 290.15 feet Northwesterly from the most Easterly corner of said Block 58; thence Southeasterly along said Northeasterly line a distance of 141 feet, more or less, to the most Northerly corner of Lot 1, Auditor's Subdivision Number 221, Hennepin County, Minnesota; thence Northeasterly, deflecting to

the left 97 degrees 15 minutes, a distance of 41.55 feet to the center line of vacated or abandoned Third Street North; thence Northwesterly along said center line to its intersection with the Southwesterly extension of the Southeasterly line of the Northwesterly 23.30 feet of Lot 2, Block 57, Town of Minneapolis; thence Northeasterly along said extension to the Southwesterly line of said Lot 2; thence Northwesterly to the most Westerly corner of said Lot 2; thence Southwesterly along the extension of the Northwesterly line of said Lot 2 to the center line of vacated or abandoned Third Street North; thence Northwesterly along said center line to its intersection with the Northeasterly extension of a line drawn from a point on the Southwesterly line of Block 58, Hoag's Addition to Minneapolis, distant 293.10 feet Northwesterly from the most Southerly corner of said Block 58 to the point of beginning; thence Southwesterly along the last mentioned extension to the point of beginning.

The Northwesterly 23.30 feet of Lot 2, and the Northwesterly 22 feet of Lot 9, Block 57, Town of Minneapolis, Hennepin County, Minnesota.

Proposed Use: Planned Unit Development including 185 dwelling units and 3,300 square feet of ground floor commercial space

Concurrent Review:

Conditional use permit: for a Planned Unit Development including 185 dwelling units and 3,300 square feet of ground floor commercial space.

Site Plan Review to allow a mixed use building with 185 dwelling units.

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

Background: The applicant is proposing to construct a mixed-use development named Dock Street Apartments on the property located at 333 Washington Avenue North and 328 4th Street North. The development will include 185 dwelling units, approximately 3,300 square feet of ground floor commercial space and 190 enclosed parking spaces. The Dock Street Apartments is the first building proposed in a multi-phased Planned Unit Development (PUD). The entire PUD is made up of approximately seven acres of land and is located between Washington Avenue North and 5th Street North and between 3rd Avenue North and the Burlington Northern Santa Fe railroad corridor. At this time it is unknown how the future phases of the PUD will be developed.

Dock Street, a new two-lane private road, will provide the main access to and through the site. Dock Street will be maintained by the applicant. The proposed intersection of Dock Street and Washington Avenue North will include both a right and left turn lane from Dock Street to Washington Avenue North. Currently, there is an easement for ingress, egress and driveway purposes between landowners over the property from Washington Avenue North to Target Field. This easement will be maintained; however, the location of this easement will be modified to align with the location of Dock Street once it has been constructed.

A new connection from the Cedar Lake Trail to the North Loop Neighborhood is proposed with the project. The connection from the Cedar Lake Trail will be located towards the south end of the site. There will be bike racks and benches located near the connection point. Dock Street will be designed with shared access for bicyclists by creating an on-street shared-lane marking or "sharrow". This

marking is placed in the center of a travel lane to indicate that a bicyclist may use the full lane.

An outdoor patio is proposed along Washington Avenue North. This patio is located within an existing Hennepin County easement. Any proposed use is subject to the easement granted to Hennepin County for bridge footings, abutments, walls, and overhang purposes, which restrict this space to uses that are temporary in nature or that can be readily removed to accommodate access to the bridge.

The proposed building will be situated between Washington Avenue North and the former right-of-way alignment of 3rd Street North and between the Burlington Northern Santa Fe railroad corridor and the proposed Dock Street. From Washington Avenue North the building appears to be five stories tall. However, due to the significant grade change on the site the building is six stories when viewed from the south end of the property.

The proposed commercial space is located along and accessed from Washington Avenue North. It has been designed so it can be occupied by one tenant or multiple tenants depending on the need. The principal residential entrance will be located on the south end of the site. A pedestrian walkway will connect the principal entrance to the public sidewalk along Washington Avenue North. The walkway will be lined with landscaping, pedestrian level lighting and decorative bollards. The massing of the building has been designed around a series of three outdoor courtyards. Two of the courtyards will be landscaped and will contain benches for seating. The third courtyard is adjacent to the fitness center within the building and will contain a swimming pool. The building has also been designed with a rooftop terrace. There will be two levels of enclosed parking within the building. The parking garage will be accessed from the south end of the building.

On January 23, 2011, the City Planning Commission approved a preliminary and final plat for the North Loop Green PUD. The plat subdivided the property into two lots and six outlots to accommodate an existing building, the proposed development and private roadways. Union Plaza, an existing office building, will be located on Lot 1, Block 1 along with an existing surface parking area. The proposed Dock Street Apartments will be located on Lot 1, Block 2. The remaining outlots will be used for access drives, utility corridors and placeholders for future development. In the interim, the applicant has indicated that these lots will primarily continue to be used for surface parking.

On Outlot A, which is located along Washington Avenue North just east of the Dock Street Apartments, there will be a small commercial surface parking lot. The area is currently used for commercial parking. As part of the construction of Dock Street the west edge of the parking lot will be defined with curb and gutter. One curb cut will be constructed in order to define an access point to the parking spaces.

Historical Significance: The site is located in the Minneapolis Warehouse Historic District, which is a designated local historic district and is listed on the National Register of Historic Places (NRHP). This area of the historic district has been identified as the Rail Yards Area in the Minneapolis Warehouse Historic District Design Guidelines.

In 1890, the grade of Fourth Avenue North was lowered for the Great Northern & Minneapolis St. Louis rail yards. This area is often referred to as the ‘Cut’. The lowering of the grade required additional access to the site and resulted in the formation of Traffic Street. The original rail corridor and rail yards crossed Washington Avenue North, Third, Fourth, Fifth, and Sixth Streets North at-grade. This made

reliable access to the land to the west of the rail yards difficult. The lowering of the rail corridor and rail yard grade resulted in the bridging of the site. This bridging reconnected this portion of the city and provided improved access to the land that resulted in additional commercial development for the warehousing and manufacturing industries. This feature exemplifies the transformative power of the railroads on the landscape of the district and is symbolic of the interconnectedness of the railroads and the warehouse industry in the commercial growth of Minneapolis in the late nineteenth century and early twentieth century.

The site historically contained rail yards and four freight depots. The depots were demolished over time in 1939, 1972, and 1989. Although the rail lines and depot buildings have been removed, the site remains a significant, contributing resource in the Warehouse Historic District. It is a lasting example of the transformative influence of the railroad industry on the form of both the district and the city.

The applicant has proposed two sets of rail lines that terminate in the proposed building and the existing parking lot to the south. These rail lines are intended to interpret the rail lines that once served the Great Northern Railroad Freight House and rail yards. This development was reviewed and approved at the February 14, 2012, Heritage Preservation Commission meeting. The actions from this meeting are attached to this report.

Environmental Assessment Worksheet (EAW): The applicant has an option on approximately seven acres of land located between Washington Avenue North and 5th Street North and between 3rd Avenue North and the Burlington Northern Santa Fe railroad corridor. Given the potential amount of development (more than 375 total dwelling units) that could occur on all of the land, the applicant submitted an EAW to the City of Minneapolis. On October 5, 2011, the Minneapolis City Council determined that the project does not have the potential for significant environmental effects and therefore no Environmental Impact Statement (EIS) is required.

Travel Demand Management Plan (TDMP) and Traffic Impact Statement: A TDMP for the entire PUD was completed as part of the EAW process. This TDMP was approved in June of 2011. As a condition of the TDMP, a specific TDMP for each phase of the PUD was required to be completed so specific strategies for each phase could be identified. The TDMP for the Dock Street Apartments phase of the PUD has been completed and has been approved by both Public Works and Planning. A copy of the TDMP is attached to this report. There are several implementation measures that the applicant has committed to executing as part of the build out of the first phase of the PUD. Below is a list of the conditions that the Planning Division is recommending be conditions of approval for the conditional use permit:

- The owner will provide within Dock Street Apartments secure bicycle storage in the parking garage of the building for residents. 185 racks will be provided which equates to 1 rack for each dwelling unit (City of Minneapolis requirement is 1 rack for each 2 units).
- The owner will provide exterior bicycle racks for temporary parking of guests and customers of nonresidential uses near the Cedar Lake Trail connection and at the Washington Avenue plaza location.

- The owner/property manager will implement a shared bicycle program for the residents of Dock Street Apartments. The building will initially have six (6) bicycles docked in the parking garage which residents will be able to check out and return on an as-needed/as-available basis.
- The owner/property manager will provide separate rental agreements and separately itemized charges for residential dwelling rental obligations and parking space rental obligations.
- The owner will provide a connection through the Dock Street Apartment site for bicycle access to the Cedar Lake Trail for both residents and the public.
- The owner/property manager will provide and maintain a connection to the Cedar Lake Trail pedestrian walkway for access by the residents and the public.

Neighborhood Comments: The North Loop Neighborhood Association has submitted a letter of support for the development. The letter is included in the staff report. Staff will forward any additional comments, if any are received, at the City Planning Commission meeting.

CONDITIONAL USE PERMIT - for a Planned Unit Development including 185 dwelling units and 3,300 square feet of ground floor commercial space

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 the establishment of a new 185-unit residential development with 3,300 square feet of ground floor commercial space will be detrimental to or endanger the public health, safety, comfort or general welfare. The area where the proposed development will be constructed is currently used as a surface parking lot. Constructing a mixed-use building on the site will provide activity on the site at all hours of the day which will improve the overall area.

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 Planning Division does not believe that a 185-unit residential development with 3,300 square feet of ground floor commercial space 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. Redevelopment of the site will transform a currently vacant piece of land. Adjacent uses include high density residential developments, office uses, a variety of commercial and entertainment establishments and the Cedar Lake Trail. The proposed development will complement the existing uses in the area.

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 Regulatory Services 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.

As part of the development, Dock Street, a new two-lane private road, will be constructed and will provide the main access to and through the site. The proposed intersection of Dock Street and Washington Avenue North will include both a right and left turn lane from Dock Street to Washington Avenue North.

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

There is no minimum parking requirement for any use in the B4S-1 zoning district. A total of 190 parking spaces will be provided within the building. All 190 spaces will be designated for the residential portion of the building. In the downtown zoning districts, when residential parking is provided, one guest parking space is required to be provided for every 50 dwelling units within the building. For 185 dwelling units a total of four guest parking spaces need to be provided. The Planning Division is recommending that there be at least four guest parking spaces provided in the building.

The minimum bicycle parking requirement for the residential portion of the development is 93 spaces. There will be a minimum of 185 bicycle racks provided in the building for residents and eight bicycle racks provided outside for guests. The bicycle parking requirement for general retail sales and services uses in the B4S-1 zoning district is four spaces per use. The commercial space has been designed so it can be occupied by one tenant or multiple tenants depending on the need. There will be six bicycle racks provided outside for guests.

At least one small loading space (10 feet by 25 feet) is required for this development. There will be one small loading space provided near the entrance to the parking garage.

The applicant has completed a TDMP for the first phase of the PUD. There are several implementation measures that the applicant has committed to executing as part of the build out of the first phase of the PUD. The Planning Division is recommending that these measures be required as conditions of approval for the conditional use permit.

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

This site is located on Washington Avenue North between 3rd Avenue North and the Burlington Northern Santa Fe railroad corridor in downtown Minneapolis. Washington Avenue North is a designated Commercial Corridor in *The Minneapolis Plan for Sustainable Growth*. All of downtown Minneapolis is a designated Growth Center in *The Minneapolis Plan for Sustainable Growth*. The future land use map in *The Minneapolis Plan for Sustainable Growth* designates the site as Mixed Use.

According to the principles and policies outlined in *The Minneapolis Plan for Sustainable Growth*, the following apply to this proposal:

- Preserve the stability and diversity of the city’s neighborhoods while allowing for increased density in order to attract and retain long-term residents and businesses (Land Use Policy 1.8).
- Promote a range of housing types and residential densities, with highest density development concentrated in and along appropriate land use features (Land Use Policy Implementation Step 1.8.1).
- Support development along Commercial Corridors that enhances the street’s character, fosters pedestrian movement, expands the range of goods and services available, and improves the ability to accommodate automobile traffic (Land Use Policy 1.10).
- Support a mix of uses – such as retail sales, office, institutional, high-density residential and clean low-impact light industrial – where compatible with the existing and desired character (Land Use Policy Implementation Step 1.10.1).
- Encourage the development of high-density housing on Commercial Corridors (Land Use Policy Implementation Step 1.10.5).
- Support development of Growth Centers as locations for concentration of jobs and housing, and supporting services (Land Use Policy 1.15).
- Encourage the development of high- to very high-density housing within Growth Centers (Land Use Policy Implementation Step 1.15.3).
- Grow by increasing the supply of housing (Housing Policy 3.1).
- Support housing density in locations that are well connected by transit, and are close to commercial, cultural and natural amenities (Housing Policy 3.2).
- Encourage and support housing development along commercial and community corridors, and in and near growth centers, activity centers, retail centers, transit station areas, and neighborhood commercial nodes (Housing Policy Implementation Step 3.2.1).

The Planning Division believes that the proposed development is in conformance with the above policies of *The Minneapolis Plan for Sustainable Growth*.

The site is located within the boundaries of the *North Loop Small Area Plan* which was adopted by the Minneapolis City Council in April of 2010. The future land use map in the *North Loop Small Area Plan* designates the site as mixed use. The site is located in the land use district referred to as The Cut in the plan. In this area the plan says that housing density appropriate to support a regional transit hub should be constructed. While the development could be more densely developed, constructing 185 dwelling units on this site is in conformance with the above policies of the *North Loop Small Area Plan*.

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

With the approval of the conditional use permit and the site plan review this development will meet the applicable regulations of the B4S-1 Downtown Service District and DP Downtown Parking Overlay District.

Findings Required for Planned Unit Developments:

- A. The planned unit development conforms to the applicable standards for alternatives and amenities (see section A below for evaluation).
- B. Additional uses (see section B below for evaluation).
- C. The planned unit development conforms to the required findings for a planned unit development (see section C below for evaluation).

Section A: Authorized Alternatives and Amenities Provided

- All planned unit developments shall provide at least one (1) amenity or a combination of amenities that total at least ten (10) points, beyond those required for any alternative(s), and even if no alternative(s) is requested.
- For each alternative requested, an amenity or a combination of amenities totaling at least five (5) points, in addition to the amenity(ies) required in section 527.120(1), shall be provided. For multiple requests of the same alternative only one (1) amenity shall be required for those alternatives.
- Unless otherwise determined by the city planning commission, each phase of the planned unit development shall include the amenities provided for any alternatives in that phase, as a part of the construction of that phase.
- In no case shall any item be counted as an amenity for an alternative if it is utilized to qualify for a density bonus in any zoning district, a floor area ratio premium in the Downtown Districts, or any other amenity in Table 527-1, Amenities.
- Where an amenity is provided that meets the standards required in Table 527-1, Amenities, the full point value assigned to said amenity shall be obtained. Where the amenity does not meet all of the standards required in Table 527-1, Amenities, no points shall be awarded. Partial points for alternatives shall not be awarded, except as otherwise allowed in Table 527-1, Amenities.

Alternatives requested:

- **Placement and number of principal residential structures:** The PUD has been designed with only one principal residential structure on a lot. No alternative is being requested.
- **Bulk regulations:**

Maximum Floor Area: There is no maximum FAR in the B4S-1 zoning district. However, there is a minimum FAR of 2.0 in the B4S-1 zoning district. The lot in question is 54,350 square feet in area. The applicant proposes a total of 177,483 square feet of gross floor area, an FAR of 3.27. No alternative is being requested.

Building Height: There is no height limitation in the B4S-1 zoning district. The applicant is proposing to construct a building that is six stories and 59 feet in height. No alternative is being requested.

- **Lot area requirements:** There is no minimum lot area requirement for a multiple-family dwelling of five or more units in the B4S-1 zoning district. With 185 dwelling units on a lot of 54,350 square feet, the applicant proposes 293 square feet of lot area per dwelling unit. No alternative is being requested.
- **Yards:** The front yard setback requirement along Washington Avenue North is zero feet. The building is setback approximately 26 feet from Washington Avenue North. In the B4S-1 zoning district when the use is either residential or a hotel and there are windows facing an interior side or rear property line, a setback of $5+2x$, where x equals the number of stories above the first floor, is required. However, the resulting setback shall not be greater than 15 feet. Residential windows face the side and rear property lines. For a six story building, the minimum interior side and rear yard setback requirement is 15 feet. The building is proposed to be setback 11 feet from the property line along Dock Street and between 8 and 33 feet from the property line along the Burlington Northern Santa Fe railroad corridor. The applicant is seeking an alternative to this requirement.
- **On-premise signs:** The applicant is not proposing any signs at this time. No alternative is being requested.
- **Off-street parking and loading:** There is no minimum parking requirement for any use in the B4S-1 zoning district. One small loading space (10 feet by 25 feet) is required for this development. There will be one small loading space provided on the site. No alternative is being requested.

Points required:

- Minimum required amenity(ies) – **10 points.**
- Placement and number of principal residential structures – **0 points.**
- Bulk regulations, FAR – **0 points.**
- Lot area requirements – **0 points.**
- Yard, periphery – **5 points.**
- Off-street parking and loading – **0 points.**
- **Total – 15 points.**

Amenities provided: Staff believes that 24 points worth of amenities are proposed as described below.

Table 527-1 Amenities

The applicant proposes the following amenities from Table 527-1, Amenities:

Underground Parking – The required standards for underground parking are:

- **All parking shall be located underground.** All of the parking proposed for the development will be located in an underground parking garage.
- **Where the grade of the site slopes significantly, all parking shall be enclosed in a floor level of the building that does not meet the definition of a story. Further, exterior parking garage walls adjacent to the public street shall not extend more than three (3) feet above the adjacent grade measured from the finished floor of the first level.** Although there is a significant grade change on the site the building has been designed so the underground parking levels do not meet the

definition of a story. In addition, the exterior parking garage does not extend above grade where adjacent to Washington Avenue North.

This amenity is worth 10 points.

Pedestrian Improvements - The required standards for pedestrian improvements are:

- **A site and building design that allows for exceptional and accessible pedestrian and/or bicycle access through and/or around a site that exceeds the requirements of Chapter 530, Site Plan Review.** As part of the construction of Dock Street, a sidewalk will be constructed along the west side of the roadway that will allow pedestrians to access the Cedar Lake Trail which runs along the west side of the development. The sidewalk will continue around to the south side of the building and to the existing Cedar Lake Trail. Dock Street will be designed with shared access for bicyclists by creating an on-street shared-lane marking or "sharrow". This marking is placed in the center of a travel lane to indicate that a bicyclist may use the full lane. Currently there are concrete barriers along the edge of the public sidewalk on Washington Avenue North. The applicant is proposing to remove the barriers so pedestrians can freely move between the public sidewalk and the site. The building is proposed to be setback approximately 27 feet from the property line along Washington Avenue North. This area will be used as a patio.
- **The improvements shall use a combination of landscaping, decorative materials, access control and lighting to create a safe, clear and aesthetically pleasing access through and/or around the site that complies with the Americans with Disabilities Act accessibility requirements.** The walkway along Dock Street will be made of concrete as will the outdoor patio area near Washington Avenue North. The sidewalk along the south side of the building will be made out of brick. Pedestrian level lighting will be located along Washington Avenue North, Dock Street and the south side of the site. There will be landscaping located throughout the site. The width of the sidewalk along Dock Street is eleven feet but the clear walking path between the individual walk up units, the landscaping, the light fixtures and the decorative bollards narrows to four feet.

This amenity is worth 3 points however the applicant is requesting an additional 5 points. The Planning Division believes that only 1 additional point should be granted for a total of 4 points. The additional point is for the bicycle improvements being made as part of this development. While the other pedestrian improvements will help guide people through the site, they are necessary given the location of the principal entrance to the building. In addition, the width of the walkway along Dock Street is two feet narrower than what is called for in the *Access Minneapolis* plan.

Decorative fencing – The required standards for decorative fencing are:

- **Install high-quality decorative metal fencing where visible from the public street, public sidewalk or public pathway.** The applicant is proposing to install decorative metal fencing around the proposed dog park located on the south side of the site and along the edges of the courtyards located on both the east and west sides of the building.
- **The point for decorative fencing may be obtained when it is included as part of another amenity if it is also provided in other areas on the site.**
- **In no case shall chain-link fencing be considered decorative fencing.** There is an existing chain link fence located around the chiller equipment located on Outlot A. The equipment is associated with the existing Union Plaza building. The applicant is not proposing to remove this fence. However, since this equipment will not be removed the Planning Division is recommending that the chain link fence be removed and replaced with decorative metal fencing.

This amenity is worth 1 point.

Enhanced exterior lighting – **Lighting plan that highlights significant areas of the site or architectural features of the building(s), subject to the standards of Chapter 535, Regulations of General Applicability.** Pedestrian level lighting will be located along Washington Avenue North, Dock Street and the south side of the site. The light fixtures will match the decorative street lights found throughout the North Loop neighborhood. The three courtyards as well as the rooftop terrace will include architectural lighting and the landscaped areas around the site will be illuminated with uplighting. The lighting will comply with the standards of Chapter 535, Regulations of General Applicability. This amenity is worth 1 point.

Enhanced landscaping – The required standards for enhanced landscaping are:

- **A landscaping plan of exceptional design that has a variety of native tree, shrub, and plant types that provide seasonal interest and that exceed the requirements of Chapter 530, Site Plan Review.** This site is exempt from the general landscaping and screening requirements of Chapter 530, Site Plan Review as the site is located in the B4S-1 zoning district and the building is larger than 50,000 square feet. The applicant is proposing to have 5,506 square feet of landscaping on the Dock Street Apartment site and an additional 8,123 square feet of landscaping on the remaining areas being improved as part of the first phase of the PUD. The applicant is proposing to plant 25 canopy trees, 170 shrubs, 406 ornamental grasses and 168 perennials as part of the first phase of the PUD. There will be three different varieties of trees, six different varieties of shrubs, three different varieties of ornamental grasses and four different varieties of perennials provided on the site.
- **The landscaped areas shall have a resource efficient irrigation system.** A resource efficient irrigation system will be provided.
- **The landscaping plan shall be prepared by a licensed landscape architect.** The landscape plan has been prepared by a licensed architect.

This amenity is worth 1 point however the applicant is requesting an additional 5 points. The Planning Division believes that only 1 additional point should be granted for a total of 2 points. The additional point is for providing landscaping on the site where none is required. While the design and layout of the landscaping plan provides interest throughout the site there isn't a large variety of plant materials being used overall and there wouldn't be a lot of seasonal interest.

Recycling storage area – **Provide an easily accessible area that serves the entire building and is dedicated to the collection and storage of non-hazardous materials for recycling, including but not limited to paper, corrugated cardboard, glass, plastics and metals. The recycling storage area shall be located entirely below grade or entirely enclosed within the building.** There will be two recycling storage areas provided in the building; one on the north end and one on the south end of the building. The recyclable materials will be collected in bins located in the garage level of the building. This amenity is worth 1 point.

Amenities proposed by the applicant

The city planning commission may consider other amenities not listed in Table 527-1, Amenities, that are proportionally related to the alternative requested. The commission may assign 1, 5, or 10 points based on the proportionality. The applicant is proposing one other amenity:

Preservation of Character-Defining Features in the Historic District – The site is located within the historic Cut area of the Minneapolis Warehouse Historic District, which is defined by the transition in

grade from Washington Avenue North and Third Avenue North to where the former rail yards used to be located. The vacated Third Street North right-of-way is also located within the project boundary which has been identified as a historic view corridor. The applicant has indicated that the site and building layout have been diligently arranged in order to preserve and honor these multiple character-defining features of the historic district. The applicant is requesting 10 points for this amenity. The Planning Division does not believe that this amenity is worth 10 points but instead believes that it is worth 5 points. The Planning Division believes that what the applicant is doing to preserve the grade changes on the site and the Third Street North view corridor is more similar to the authorized amenity “natural features” than it is to “historic preservation” which requires the preservation, rehabilitation or restoration of designated historic landmarks as a part of the development, subject to the approval of the Minneapolis Heritage Preservation Commission. The natural features amenity requires site planning that preserves significant natural features or restores ecological functions of a previously damaged natural environment. The natural features amenity is worth 3 points.

Points Summary

<i>Amenity</i>		<i>Points Requested by Applicant</i>	<i>Points Recommended by Staff</i>
Amenities from Table 527-1	Underground Parking	10	10
	Pedestrian Improvements	3	3
	Decorative Fencing	1	1
	Enhanced Exterior Lighting	1	1
	Enhanced Landscaping	1	1
	Recycling Storage Areas	1	1
Amenities that significantly exceed standards described in Table 527-1	Pedestrian Improvements	5	1
	Enhanced Landscaping	5	1
Amenities proposed by the applicant	<i>Preservation of Character-Defining Features in the Historic District</i>	10	5
Total		37	24

Phasing plan – The Dock Street Apartments is the first building proposed in the multi-phased PUD. The entire PUD is made up of approximately seven acres of land and is located between Washington Avenue North and 5th Street North and between 3rd Avenue North and the Burlington Northern Santa Fe railroad corridor. At this time, it is unknown how the future phases of the PUD will be developed.

Section B: Additional Uses

- **In general. The city planning commission may authorize additional uses in the zoning district in which the planned unit development is located as provided below and subject to section 527.210. An amenity is not required in order to allow an additional use.**

- **Residence and OR1 Districts.** The city planning commission may authorize additional residential uses, small neighborhood serving retail sales and services uses as allowed in the OR2 and OR3 Districts, child care centers, offices and clinics within a planned unit development located in the Residence and OR1 Districts. The additional small neighborhood serving retail sales and services uses as allowed in the OR2 and OR3 Districts, child care centers, offices and clinics shall not exceed two thousand (2,000) square feet per use, unless otherwise allowed by the zoning district in which the use is located.
- **OR2 and OR3 Districts.** The city planning commission may authorize additional residential uses and retail sales and services uses as allowed in the C1 District within planned unit developments located in the OR2 and OR3 Districts. Notwithstanding section 547.30(f)(2) and (3), the city planning commission may authorize retail sales and services uses greater than two thousand (2,000) square feet, but not to exceed four thousand (4,000) square feet per use. The city planning commission may allow more than two (2) such retail sales and services uses per zoning lot.

Additional uses are not proposed.

Section C: Conformance with Required Planned Unit Development 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 residential uses, the variety of housing types and their relationship to other site elements and to surrounding development.**

A 185-unit residential development with 3,300 square feet of ground floor commercial space is proposed. The mix of units includes studio, one and two-bedrooms. Adjacent uses include high density residential developments, office uses, a variety of commercial and entertainment establishments and the Cedar Lake Trail. The proposed development will complement the existing uses in the area.

- 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, bicycle facilities and availability of transit alternatives.**

The TDMP that was completed for this development concludes that the existing street capacity is adequate to support the traffic that will be generated by this development. A copy of the TDMP is attached to this report. There are several implementation measures that the applicant has committed to executing as part of the build out of the first phase of the PUD. There will be a minimum of one parking space provided for every unit in an underground

parking garage. Access to the parking garage will be provided off of Dock Street, a new two-lane private road that will provide the main access to and through the site. An off-street loading space will be provided near the entrance to the parking garage.

The site is located directly adjacent to the Cedar Lake Trail. A connection to the trail from the site will be provided. As a condition of the TDMP there shall be at least one bicycle parking space provided for every dwelling unit. In addition, bicycle parking for guests shall also be provided near the Cedar Lake Trail connection and near Washington Avenue North. The site is also located within blocks of several transit alternatives including light rail, bus stops and the Minneapolis Skyway System.

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

The site amenities include underground parking, pedestrian improvements, decorative fencing, enhanced exterior lighting, enhanced landscaping, recycling storage area and preservation of character-defining features in the historic district.

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 Dock Street Apartments is the first building proposed in the multi-phased North Loop Green PUD. The proposed building will be located between Washington Avenue North and the former right-of-way alignment of 3rd Street North and between the Burlington Northern Santa Fe railroad corridor and the proposed Dock Street. The development will include 185 dwelling units, approximately 3,300 square feet of ground floor commercial space and 190 enclosed parking spaces.

The recently approved plat subdivided the property into two lots and six outlots to accommodate an existing building, the proposed development and private roadways. Union Plaza, an existing office building, will be located on one lot along with an existing surface parking area. The proposed Dock Street Apartments will be located on another lot. The remaining outlots will be used for access drives, utility corridors and placeholders for future development. In the interim, the applicant has indicated that these lots will primarily continue to be used for surface parking. The parking lots are located to the east and south sides of the Dock Street Apartment building.

The proposed commercial space is located along and accessed from Washington Avenue North. It has been designed so it can be occupied by one tenant or multiple tenants depending on the need. The principal residential entrance will be located on the south end of the site. A pedestrian walkway will connect the principal entrance to the public sidewalk along Washington Avenue North. The walkway will be lined with landscaping, pedestrian level lighting and decorative bollards. The massing of the building has been designed around

a series of three outdoor courtyards. Two of the courtyards will be landscaped and will contain benches for seating. The third courtyard is adjacent to the fitness center within the building and will contain a swimming pool. The building has also been designed with a rooftop terrace. There will be two levels of enclosed parking within the building. The parking garage will be accessed from the south end of the building. From Washington Avenue North the building appears to be five stories tall. However, due to the significant grade change on the site the building is six stories when viewed from the south end of the property. Many of the surrounding buildings are between four and six stories in height.

Dock Street, a new two-lane private road, will provide the main access to and through the site. Dock Street will be maintained by the applicant. A new connection from the Cedar Lake Trail to the North Loop Neighborhood is proposed with the project. The connection from the Cedar Lake Trail will be located towards the south end of the site. There will be bike racks and benches located near the connection point. Dock Street will be designed with shared access for bicyclists by creating an on-street shared-lane marking or "sharrow". This marking is placed in the center of a travel lane to indicate that a bicyclist may use the full lane.

The site is located within the historic Cut area of the Minneapolis Warehouse Historic District, which is defined by the transition in grade from Washington Avenue North and Third Avenue North to where the former rail yards used to be located. The vacated Third Street North right-of-way is also located within the project boundary which has been identified as a historic view corridor. The applicant has indicated that the site and building layout have been diligently arranged in order to preserve and honor these multiple character-defining features of the historic district.

- e. **An appropriate transition area shall be provided between the planned unit development and adjacent residential uses or residential zoning that considers landscaping, screening, access to light and air, building massing, and applicable policies of the comprehensive plan and adopted small area plans.**

The proposed building is not located adjacent to any residential uses or properties that are zoned residential.

- f. **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 Regulatory Services 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 City of Minneapolis will review and approve the applicant's stormwater management plan and erosion control plan.

- g. The consideration, where possible, of sustainable building practices during the construction phases and the use of deconstruction services and recycling of materials for the demolition phase.**

During construction, the proposed development will utilize sustainable building practices including energy efficient HVAC and lighting systems, use of low VOC materials and finishes for better interior environmental quality, use of regional materials and products as much as possible to reduce carbon footprint, use of sustainable materials and products such as FSC wood, recycled content and renewable materials and the installation of underground storm water chambers that are composed of up to 30 percent recycled materials. The development will also participate in the Xcel Energy Design Assistance Program. In addition, waste generated during construction will be recycled.

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

On January 23, 2011, the City Planning Commission approved a preliminary and final plat for the North Loop Green PUD. The plat subdivided the property into two lots and six outlots to accommodate an existing building, the proposed development and private roadways. Union Plaza, an existing office building, will be located on Lot 1, Block 1 and the proposed Dock Street Apartments will be located on Lot 1, Block 2. The remaining outlots will be used for access drives, utility corridors and placeholders for future development.

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, windows, and active functions:**
 - **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.**
 - **Minimum window area at the first or ground level shall be measured between two (2) and ten (10) feet above the adjacent grade. Minimum window area on walls above the first floor shall be measured between the upper surface of a floor and the upper surface of the floor above.**
- **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.**
- f. **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.**
- g. **In multiple tenant buildings, each individual ground level tenant space that faces a public street, public sidewalk, public pathway, or on-site parking lot shall comply with the minimum window requirements of this section.**

Minimum window area at the first or ground level shall be measured between two (2) and ten (10) feet above the adjacent grade. Minimum window area on walls above the first floor shall be measured between the upper surface of a floor and the upper surface of the floor above.

- **Ground floor active functions: Except for industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, the first floor or ground level of buildings shall be designed to accommodate active functions by ensuring that parking, loading, storage, or mechanical equipment rooms are limited to no more than thirty (30) percent of the linear building frontage along each wall facing a public street, public sidewalk, or public pathway.**
- **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. In addition to compliance with minimum window requirements, principal and accessory parking garages shall comply with provisions requiring active functions on the ground floor. In the downtown districts, the more restrictive parking garage provisions of Chapter 549, Downtown Districts, shall apply.**

PLANNING DEPARTMENT RESPONSE:

- The building reinforces the street wall, facilitates pedestrian access and maximizes natural surveillance. The building will be located close to the easement area that is located along Washington Avenue North, there are entrances and exits at street level that can be accessed by employees and customers of the commercial space along Washington Avenue North and there are large windows and balconies on all sides of the building that maximize the opportunities for people to observe adjacent spaces and the public sidewalks.
- The building wall fronting along Washington Avenue North is required to be located within eight feet of the property line except where a greater yard is required by the zoning ordinance. The front yard setback requirement is zero feet, however, there is a 23-foot deep Hennepin County easement located along Washington Avenue North that needs to be maintained. The easement restricts this space to uses that are temporary in nature or that can be readily removed to accommodate access to the bridge. The building is proposed to be built four feet from the edge of the easement area to allow the out swinging doors and building canopy. The applicant is proposing to use the easement area as an outdoor patio associated with the commercial tenant along Washington Avenue North. For these reasons the Planning Division is recommending that the City Planning Commission grant alternative compliance to allow the building to be setback more than eight feet from the front property line

along Washington Avenue North.

- The area in between the building and the front property line will contain a patio and landscaping.
- The commercial space along Washington Avenue North has a principal entrance facing the street. The principal entrance to the residential portion of the building is located towards the interior of the site. There is a secondary entrance located along Dock Street towards Washington Avenue North. In addition, the first floor residential units along Dock Street also have individual entrances.
- All of the on-site parking associated with this development is located in two levels of underground parking.
- The exterior materials of the structure include metal, brick and glass. The sides and rear of the building are similar to and compatible with the front of the building.
- A portion of the ground floor building wall, near Washington Avenue North, on the east side and the entire length of the Level P1 building wall on the west side are over 25 feet in length and void of windows, entries, recesses or projections, or other architectural elements. There is a significant grade change between the north and south ends of the site. To accommodate for the grade change the first level of enclosed parking is partially exposed on the west side of the building. To screen the first level of enclosed parking from the public pathway, the applicant is proposing to plant landscape materials along the entire length of the building. The proposed shrubs will grow to between five and eight feet in height at maturity to adequately screen the wall. The portion of the ground floor building wall on the east side of the building that is blank is adjacent to a dwelling unit. The width of the blank wall is 33 feet wide. If windows were to be added to this area, pedestrians walking on the Dock Street sidewalk would be looking down into a unit given the grade change on the site. For privacy and security reasons, this wall of the building has been designed to not have any windows. The Planning Division is recommending that alternative compliance be granted to allow a portion of the ground floor building wall, near Washington Avenue North, on the east side and the entire length of the ground floor building wall on the west side to be over 25 feet in length and void of windows, entries, recesses or projections, or other architectural elements.
- At least 30 percent of the first floor and at least 10 percent of the upper floors of the Washington Avenue North side of the building are required to be windows and at least 20 percent of the first floor and at least 10 percent of the upper floors of the remaining three sides of the building are required to be windows. The project's compliance with these requirements is as follows:
 - Washington Avenue North: the percentage of windows on the first floor of the building is 63 percent and the percentage of windows on the upper levels of the building exceeds 10 percent.
 - Cedar Lake Trail: the percentage of windows on the ground floor is zero percent and the percentage of windows on the upper levels of the building exceeds 10 percent. There is a significant grade change between the north and south ends of the site. To accommodate the grade change, the first level of enclosed parking is partially exposed. The first floor sits five feet eight inches above the adjacent grade. There are windows on the first floor of the building, but they do not count towards the minimum required because they are located more than four feet above grade. The Planning Division is recommending that the City Planning Commission grant alternative compliance to allow less than 20 percent windows on the ground floor of the building. To screen the first level of enclosed parking from the public pathway, the applicant is proposing to plant landscape materials along the entire length of the building. The proposed shrubs will grow to between five and eight feet in height at maturity to adequately screen the wall.

- Dock Street: the percentage of windows on the ground floor is 20 percent and the percentage of windows on the upper levels of the building exceeds 10 percent.
- South building wall: the percentage of windows on the first floor of the building is 31 percent and the percentage of windows on the upper levels of the building exceeds 10 percent.
- The windows in the development are vertical in nature and are evenly distributed along the building walls.
- The entire ground level of the building frontage along Washington Avenue North contains active functions. However, none of the ground level of the building frontage along the Cedar Lake Trail contains active functions. There is a significant grade change between the north and south ends of the site. To accommodate the grade change, the first level of enclosed parking is partially exposed. The first floor sits five feet eight inches above the adjacent grade. Above the partially exposed parking level, the entire building frontage along the Cedar Lake Trail contains active functions. The Planning Division is recommending that the City Planning Commission grant alternative compliance to allow no active functions at ground level facing the Cedar Lake Trail.
- The principal roof line of the building will be flat. The majority of the buildings in the surrounding area have flat roofs.

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 leading into the building are connected to the public sidewalk via a series of walkways.
- No transit shelters are proposed as part of this development.
- All of the on-site parking associated with the Dock Street Apartments is located in two levels of underground parking.
- There are no public alleys located within the boundaries of the PUD.
- There is no maximum impervious surface requirement in the B4S-1 zoning district. However, according to the materials submitted by the applicant 90 percent of the Dock Street Apartments site will be impervious (10 percent pervious).

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:

- This site is exempt from the general landscaping and screening requirements of Chapter 530, Site Plan Review as the site is located in the B4S-1 zoning district and the building is larger than 50,000 square feet.
- The zoning code requires that a seven-foot wide landscaped yard be provided when a parking or loading facility is fronting along a public street, public sidewalk or public pathway. There is a seven-foot wide landscaped yard located between the parking lot along Washington Avenue North and the public sidewalk and between the parking lot on Outlot D and the Cedar Lake Trail. There is also a 20-foot wide landscaped yard located between the Cedar Lake Trail and the loading space for the Dock Street Apartment building.
- Screening three feet in height and equal to 60 percent opacity is required when a parking or loading facility is fronting along a public street, public sidewalk or public pathway. There is a solid six-foot high brick wall located between the parking lot along Washington Avenue North and the public sidewalk. There is no screening provided between the parking lot on Outlot D and the Cedar Lake Trail. At this time it is unknown how the future phases of the PUD will be developed. However, because the parking lots will likely be redeveloped in the future the Planning Division is recommending that the City Planning Commission grant alternative compliance to not require screening between the parking lot on Outlot D and the Cedar Lake Trail. There will be landscaping

located between the Cedar Lake Trail and the loading space for the Dock Street Apartment building that will grow to a mature height of three feet.

- In parking lots of 10 spaces or more, no parking space shall be located more than 50 feet from an on-site deciduous tree. None of the parking spaces in either the Outlot A or Outlot D parking lots are located within 50 feet of an on-site deciduous tree. At this time it is unknown how the future phases of the PUD will be developed. However, because the parking lots will likely be redeveloped in the future the Planning Division is recommending that the City Planning Commission grant alternative compliance to not require any of the parking spaces be located within 50 feet from an on-site deciduous tree.
- Tree islands in parking lots must have a minimum width of seven feet in any direction. There are no tree islands in these parking lots.

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:

- All of the on-site parking associated with the Dock Street Apartments is located in two levels of underground parking. Stormwater runoff from the surface parking lot on Outlot A will be directed to a series of catch basins on the site.
- This development should not block views of important elements of the city. The building has been arranged so it not located within the Third Street North right-of-way which has been identified as a historic view corridor.
- Shadow studies have been included as an attachment to the staff report and include shadowing impacts at sunrise, 12 noon and sunset in March, June and December. The shadow study indicates that the building will cast shadows on the Cedar Lake Trail at different times of the day for varying lengths of time depending on the season.

- This development 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 large windows and balconies on all sides of the building that maximize the opportunities for people to observe adjacent spaces and the public sidewalks and there are lights located near all of the pedestrian entrances and throughout the site.
- No structures will be demolished to construct the Dock Street Apartments. The site is located in the Minneapolis Warehouse Historic District, which is a designated local historic district and is listed on the National Register of Historic Places (NRHP). This area of the historic district has been identified as the Rail Yards Area in the Minneapolis Warehouse Historic District Design Guidelines. This development was reviewed and approved at the February 14, 2012, Heritage Preservation Commission meeting. The actions from this meeting are attached to this report.

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:** Planned Unit Developments require a conditional use permit in the B4S-1 zoning district.
- **Off-Street Parking and Loading:**

Minimum automobile parking requirement: There is no minimum parking requirement for any use located in the B4S-1 zoning district. A total of 190 parking spaces will be provided. In the downtown zoning districts, when residential parking is provided, one guest parking space is required to be provided for every 50 dwelling units within the building. For 185 dwelling units a total of four guest parking spaces need to be provided. The Planning Division is recommending that there be at least four guest parking spaces provided in the building.

Maximum automobile parking requirement: The maximum parking requirement for a multiple-family dwelling of five or more units in the B4S-1 zoning district is 1.6 parking spaces per dwelling unit. For 185 dwelling units the maximum parking requirement would be 296 spaces. A total of 190 parking spaces will be provided.

The maximum parking requirement for general retail sales and services uses is one space per 500 square feet of gross floor area. There is approximately 3,300 square feet of commercial space in the building which would have a maximum parking requirement of seven spaces.

Bicycle Parking: The bicycle parking requirement for a multiple-family dwelling of five or more units is one space per two dwelling units. The bicycle parking requirement for this development is 93. Not less than 90 percent of the required bicycle parking spaces shall meet the standards for long-term bicycle parking. Required long-term bicycle parking spaces shall be located in enclosed and secured or supervised areas providing protection from theft, vandalism and weather and shall be accessible to intended users. Required long-term bicycle parking for residential uses shall not be located within dwelling units or within deck or patio areas accessory to dwelling units. There will be a minimum of 185 bicycle racks provided in the building for residents and eight bicycle racks provided outside for guests.

The bicycle parking requirement for general retail sales and services uses in the B4S-1 zoning district is four spaces per use. The commercial space has been designed so it can be occupied by one tenant or multiple tenants depending on the need. There will be six bicycle racks provided outside for guests.

Loading: One small loading space (10 feet by 25 feet) is required for this development. There will be one small loading space provided near the entrance to the parking garage.

- **Maximum Floor Area:** There is no maximum FAR in the B4S-1 zoning district. However, there is a minimum FAR of 2.0 in the B4S-1 zoning district. The lot in question is 54,350 square feet in area. The applicant proposes a total of 177,483 square feet of gross floor area, an FAR of 3.27.
- **Building Height:** There is no height limitation in the B4S-1 zoning district. The applicant is proposing to construct a building that is six stories and 59 feet in height.
- **Minimum Lot Area:** There is no minimum lot area requirement for a multiple-family dwelling of five or more units in the B4S-1 zoning district. With 185 dwelling units on a lot of 54,350 square feet, the applicant proposes 293 square feet of lot area per dwelling unit.
- **Dwelling Units per Acre:** The site is 1.25 acres in size. There are 148 dwelling units per acre proposed on the site.
- **Yard Requirements:** The front yard setback requirement along Washington Avenue North is zero feet. The building is setback approximately 26 feet from Washington Avenue North. In the B4S-1 zoning district when the use is either residential or a hotel and there are windows facing an interior side or rear property line a setback of $5+2x$, where x equals the number of stories above the first floor, is required. However, the resulting setback shall not be greater than 15 feet. Residential windows face the side and rear property lines. For a six story building, the minimum interior side and rear yard setback requirement is 15 feet. The building is proposed to be setback 11 feet from the property line along Dock Street and between 8 and 33 feet from the property line along the Burlington Northern Santa Fe railroad corridor.
- **Specific Development Standards:** The specific development standard for a planned unit development says that the development shall conform to the standards of Chapter 527, Planned Unit Development.
- **Signs:** Signs are subject to the requirements of Chapter 543 of the Zoning Code. In the B4S zoning district one can have two-and-a-half square feet of signage for every one foot of primary building wall. Wall signs are limited to 120 square feet in size. Projecting signs are limited to 48 square feet in size. The height limitation for both wall signs and projecting signs is 28 feet. Freestanding signs are limited to 32 square feet and can be no taller than 8 feet. The zoning code also limits the number of freestanding signs on a zoning lot to one. The applicant is not proposing any signage at this time.

- **Refuse storage:** There will be two recycling storage areas provided in the building; one on the north end and one on the south end of the building. The recyclable materials will be collected in bins located in the garage level of the building.
- **Lighting:** A lighting plan showing footcandles was not submitted as part of the application materials. The Planning Division is recommending that the final lighting plan conform to the standards of Chapter 535, Regulations of General Applicability.

MINNEAPOLIS PLAN:

This site is located on Washington Avenue North between 3rd Avenue North and the Burlington Northern Santa Fe railroad corridor in downtown Minneapolis. Washington Avenue North is a designated Commercial Corridor in *The Minneapolis Plan for Sustainable Growth*. All of downtown Minneapolis is a designated Growth Center in *The Minneapolis Plan for Sustainable Growth*. The future land use map in *The Minneapolis Plan for Sustainable Growth* designates the site as Mixed Use. According to the principles and policies outlined in *The Minneapolis Plan for Sustainable Growth*, the following apply to this proposal:

- Support the development of residential dwellings that are of high quality design and compatible with surrounding development (Urban Design Policy 10.4).
- Support the development of multi-family residential dwellings of appropriate form and scale (Urban Design Policy 10.5).
- New multi-family development or renovation should be designed in terms of traditional urban building form with pedestrian scale design features at the street level (Urban Design Policy 10.6).
- Design buildings to fulfill light, privacy, and view requirements for the subject building as well as for adjacent properties by building within required setbacks (Urban Design Policy Implementation Step 10.6.1).
- 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 bodies of water (Urban Design Policy Implementation Step 10.6.2).
- Orient buildings and building entrances to the street with pedestrian amenities like wider sidewalks and green spaces (Urban Design Policy Implementation Step 10.6.4).
- Street-level building walls should include an adequate distribution of windows and architectural features in order to create visual interest at the pedestrian level (Urban Design Policy Implementation Step 10.6.5).
- Integrate transit facilities and bicycle parking amenities into the site design (Urban Design Policy Implementation Step 10.6.6).
- Support urban design standards that emphasize traditional urban form with pedestrian scale design features at the street level in mixed-use and transit-oriented development (Urban Design Policy 10.9).
- Promote building and site design that delineates between public and private spaces (Urban Design Policy Implementation Step 10.9.2).
- Provide safe, accessible, convenient, and lighted access and way finding to transit stops and transit stations along the Primary Transit Network bus and rail corridors (Urban Design Policy Implementation Step 10.9.3).
- Coordinate site designs and public right-of-way improvements to provide adequate sidewalk space

for pedestrian movement, street trees, landscaping, street furniture, sidewalk cafes and other elements of active pedestrian areas (Urban Design Policy Implementation Step 10.9.4).

- Encourage development that provides functional and attractive gathering spaces (Urban Design Policy 10.14)
- Encourage the creation of new parks and plazas (Urban Design Policy Implementation Step 10.14.3).
- Provide sufficient lighting to reflect community character, provide a comfortable environment in a northern city and promote environmentally friendly lighting systems (Urban Design Policy 10.17)
- Provide high-quality lighting fixture designs that are appropriate to street types and land use, and that provide pedestrian friendly illumination, but minimize glare and dark sky conditions, and other unnecessary light pollution (Urban Design Policy Implementation Step 10.17.1).
- Ensure that all site lighting requirements and directional signs have appropriate illumination levels to comply with zoning and industry illumination standards (Urban Design Policy Implementation Step 10.17.4).
- Integrate exterior building lighting design to attune with building designs and landscaping (Urban Design Policy Implementation Step 10.17.5).
- Provide sufficient lighting for better way-finding and safe circulation within and around a development (Urban Design Policy Implementation Step 10.17.6).
- Reduce the visual impact of automobile parking facilities (Urban Design Policy 10.18).

The Planning Division believes that the proposed development is in conformance with the above policies of *The Minneapolis Plan for Sustainable Growth*.

The site is located within the boundaries of the *North Loop Small Area Plan* which was adopted by the Minneapolis City Council in April of 2010. The future land use map in the *North Loop Small Area Plan* designates the site as mixed use. The site is located in the land use district referred to as The Cut in the plan. In this area, the plan says that housing density appropriate to support a regional transit hub should be constructed. The plan calls for building heights greater than ten stories. Design guidelines in the plan call for buildings with an urban street frontage, underground parking, prominent front entrances, an abundance of window glass, more landscaping and a reduction in the overall amount of hardscape. While the development could be taller and more densely developed, the Planning Division believes that the proposed development is in conformance with the recommendations of the *North Loop Small Area 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:

- **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 building wall fronting along Washington Avenue North is required to be located within eight feet of the property line except where a greater yard is required by the zoning ordinance. The front yard setback requirement is zero feet, however, there is a 23-foot deep Hennepin County easement located along Washington Avenue North that needs to be maintained. The easement restricts this space to uses that are temporary in nature or that can be readily removed to accommodate access to the bridge. The building is proposed to be built four feet from the edge of the easement area to allow the out swinging doors and building canopy. The applicant is proposing to use the easement area as an outdoor patio associated with the commercial tenant along Washington Avenue North. For these reasons the Planning Division is recommending that the City Planning Commission grant alternative compliance to allow the building to be setback more than eight feet from the front property line along Washington Avenue North.
- **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.** A portion of the ground floor building wall, near Washington Avenue North, on the east side and the entire length of the Level P1 building wall on the west side are over 25 feet in length and void of windows, entries, recesses or projections, or other architectural elements. There is a significant grade change between the north and south ends of the site. To accommodate for the grade change the first level of enclosed parking is partially exposed on the west side of the building. To screen the first level of enclosed parking from the public pathway, the applicant is proposing to plant landscape materials along the entire length of the building. The proposed shrubs will grow to between five and eight feet in height at maturity to adequately screen the wall. The portion of the ground floor building wall on the east side of the building that is blank is adjacent to a dwelling unit. The width of the blank wall is 33 feet wide. If windows were to be added to this area, pedestrians walking on the Dock Street sidewalk would be looking down into a unit given the grade change on the site. For privacy and security reasons, this wall of the building has been designed to not have any windows. The Planning Division is recommending that alternative compliance be granted to allow a portion of the ground floor building wall, near Washington Avenue North, on the east side and the entire length of the ground floor building wall on the west side to be over 25 feet in length and void of 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 remaining three sides of the building are required to be windows.** The percentage of windows on the ground floor is zero percent and the percentage of windows on the upper levels of the building exceeds 10 percent. There is a significant grade change between the north and south ends of the site.

To accommodate the grade change, the first level of enclosed parking is partially exposed. The first floor sits five feet eight inches above the adjacent grade. There are windows on the first floor of the building, but they do not count towards the minimum required because they are located more than four feet above grade. The Planning Division is recommending that the City Planning Commission grant alternative compliance to allow less than 20 percent windows on the ground floor of the building. To screen the first level of enclosed parking from the public pathway, the applicant is proposing to plant landscape materials along the entire length of the building. The proposed shrubs will grow to between five and eight feet in height at maturity to adequately screen the wall.

- **The first floor or ground level of buildings shall be designed to accommodate active functions by ensuring that parking, loading, storage, or mechanical equipment rooms are limited to no more than 30 percent of the linear building frontage along each wall facing a public street, public sidewalk, or public pathway.** None of the ground level of the building frontage along the Cedar Lake Trail contains active functions. There is a significant grade change between the north and south ends of the site. To accommodate the grade change, the first level of enclosed parking is partially exposed. The first floor sits five feet eight inches above the adjacent grade. Above the partially exposed parking level, the entire building frontage along the Cedar Lake Trail contains active functions. The Planning Division is recommending that the City Planning Commission grant alternative compliance to allow no active functions at ground level facing the Cedar Lake Trail.
- **Screening three feet in height and equal to 60 percent opacity is required when a parking or loading facility is fronting along a public street, public sidewalk or public pathway.** There is no screening provided between the parking lot on Outlot D and the Cedar Lake Trail. At this time it is unknown how the future phases of the PUD will be developed. However, because the parking lots will likely be redeveloped in the future the Planning Division is recommending that the City Planning Commission grant alternative compliance to not require screening between the parking lot and the Cedar Lake Trail.
- **In parking lots of 10 spaces or more, no parking space shall be located more than 50 feet from an on-site deciduous tree.** None of the parking spaces in either the Outlot A or Outlot D parking lots are located within 50 feet of an on-site deciduous tree. At this time it is unknown how the future phases of the PUD will be developed. However, because the parking lots will likely be redeveloped in the future the Planning Division is recommending that the City Planning Commission grant alternative compliance to not require any of the parking spaces be located within 50 feet from an on-site deciduous tree.

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 Unit Development including 185 dwelling units and 3,300 square feet of ground floor commercial space located at 333 Washington Avenue North and 328 4th Street North

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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. There shall be at least four guest parking spaces provided in the building as required by section 551.765 of the zoning code.
3. As required by section 527.120 of the zoning code, the development shall comply with the standards for some combination of the following amenities from Table 527-1, Amenities and those proposed by the applicant totaling a minimum of 15 points: underground parking, pedestrian improvements, decorative fencing, enhanced exterior lighting, enhanced landscaping, recycling storage area and preservation of character-defining features in the historic district.
4. The existing chain link fence located around the chiller equipment on Outlot A shall be removed and replaced with decorative metal fencing.
5. The owner shall provide within Dock Street Apartments secure bicycle storage in the parking garage of the building for residents. Not less than 185 racks shall be provided, which equates to one rack for each dwelling unit.
6. The owner shall provide exterior bicycle racks for temporary parking of guests and customers of nonresidential uses near the Cedar Lake Trail connection and at the Washington Avenue plaza location.
7. The owner/property manager shall implement a shared bicycle program for the residents of Dock Street Apartments. The building shall initially have six bicycles docked in the parking garage, which residents will be able to check out and return on an as-needed/as-available basis.
8. The owner/property manager shall provide separate rental agreements and separately itemized charges for residential dwelling rental obligations and parking space rental obligations.
9. The owner will provide a connection through the Dock Street Apartment site for bicycle access to the Cedar Lake Trail for both residents and the public.
10. The owner/property manager shall provide and maintain a connection to the Cedar Lake Trail pedestrian walkway for access by the residents and the public.

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 to allow a

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mixed use building with 185 dwelling units for the property located at 333 Washington Avenue North and 328 4th Street North subject to the following conditions:

1. Approval of the final site, landscaping, elevation and lighting plans by the Community Planning and Economic Development Department – Planning Division.
2. All site improvements shall be completed by March 5, 2014, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

Attachments:

1. Preliminary Development Review report from November 23, 2011
2. February 14, 2012, Heritage Preservation Commission actions
3. Project purpose and description and PUD amenity information
4. Conditional use permit findings for the PUD
5. Travel Demand Management - Supplemental Memo
6. January 25, 2012, letter to Council Member Goodman
7. January 26, 2012, email to David Frank with the North Loop Neighborhood Association
8. October 31, 2011, letter from the North Loop Neighborhood Association
9. Zoning Map
10. Civil plans including landscaping plans and fence details
11. Architectural plans including floor plans, elevations, shadow studies, material details and project renderings
12. Photos of the site