

Department of Community Planning and Economic Development – Planning Division

Conditional Use Permit and Site Plan Review

BZZ-5578

Preliminary Plat

PL-265

Date: June 25, 2012

Applicant: Bigos-Calhoun Greenway, LLC, Attn: W. Vasilis, 8325 Wayzata Boulevard, Golden Valley, MN 55426, (763) 367-7400

Address of Property: 3140 Chowen Avenue South and 3129 Ewing Avenue South

Project Name: Dwell – Bigos Calhoun Greenway Expansion

Contact Person and Phone: UrbanWorks Architecture, Attn: Tod Elkins, 901 N. 3rd Street, Suite #145, Minneapolis, MN 55401, (612) 455-3104

Planning Staff and Phone: Becca Farrar, Senior City Planner, (612)673-3594

Date Application Deemed Complete: May 1, 2012

End of 60-Day Decision Period: June 30, 2012

End of 120-Day Decision Period: On May 30, 2012, Staff sent a letter to the applicant extending the decision period to no later than August 29, 2012.

Ward: 13

Neighborhood Organization: West Calhoun Neighborhood Council

Existing Zoning: R6 (Multiple-family) district

Proposed Zoning: Not applicable for this application.

Zoning Plate Number: 23

Lot area: 197,950 square feet or approximately 4.54 acres

Legal Description: Not applicable for this application.

Proposed Use: Establish a PUD for a new 185-unit residential development.

Concurrent Review:

- Conditional Use Permit for a Planned Unit Development (PUD) to allow a new 6-story, 72-foot tall, 185-unit residential development on the subject site. The proposed development would become a unified development with the existing 4-story, 42-foot tall, 151-unit residential development located on the property.
- Site Plan review for a PUD in the R6 (Multiple-family) district.
- Preliminary Plat.

Applicable zoning code provisions: Chapter 525, Article VII, Conditional Use Permits, Chapter 527, Planned Unit Development, Chapter 530 Site Plan Review and Chapter 598, Land Subdivision Regulations.

Background: The applicant proposes to construct a new 6-story, 72-foot tall, 185-unit residential development on the properties located at 3140 Chowen Avenue South and 3129 Ewing Avenue South. The subject site is located just south of the Midtown Greenway. The development is made possible due to the acquisition of the parcel located on Ewing Avenue South via the City of Minneapolis (that acquired the tax-forfeited property from Hennepin County) and then combining it with the parcel located on Chowen Avenue South. The proposed development would become a unified development with the existing Calhoun Greenway development which is a 4-story, 42-foot tall, 151-unit residential development located on the site. A conditional use permit for a Planned Unit Development (PUD) is required in order to develop the site as proposed. An alternative is also necessary in order to allow more than one principal residential structure on a zoning lot. Site plan review, as well as a preliminary plat, is also required for the development.

The proposed building would be constructed with 5 stories of wood framing over a concrete lower level and first floor. A total of 398 off-street parking stalls are proposed within the PUD for a total of 336 dwelling units that include: 76 existing stalls below grade, 202 new below grade and 120 new surface spaces. Bicycle parking is provided at one space per unit. The exterior of the building would be composed of brick, stucco and painted fiber-cement panels on the upper floors. The applicant proposes to include both indoor and outdoor site amenities including a fitness room, outdoor pool, fire pit and barbeque areas.

The applicant attended the City Planning Commission (CPC) Committee of the Whole (COW) meeting on April 12, 2012. At that meeting there were concerns generated by the Planning Commission and the applicant was asked to modify the proposal and return to another CPC COW meeting prior to moving forward to the CPC public hearing. As such the applicant requested a continuance to the June 25, 2012, Planning Commission meeting in order to attend the June 14, 2012, CPC COW meeting. At the CPC COW meeting on June 14, 2012, the applicant presented revised plans in response to the initial comments received from Commissioners. The two principal changes were as follows:

- Removed parking within the 1st floor of the building and replaced it with dwelling units;
- Pulled back a 40-foot section on the north elevation of the building facing the Midtown Greenway 20 feet to give the appearance of two separate buildings on the premises.

Following the CPC COW meeting on June 14, 2012, the Planning Commission requested that additional modifications be incorporated into the proposal. In response to these comments, a summary of the changes since that meeting has been provided by the architect.

Planning Staff has received official correspondence from the West Calhoun Neighborhood Council which has been attached for reference. No other neighborhood letters/emails were received prior to the printing of this report. Any correspondence received prior to the public meeting will be forwarded on to the Planning Commission for consideration.

CONDITIONAL USE PERMIT – for a Planned Unit Development

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 believes that the development of a PUD which allows for the construction of a new 6-story, 72 foot tall development that includes 185 dwelling units within a unified development that includes an existing 4-story, 42-foot tall, 151-unit residential development should not have negative impacts on the area. The proposal complements other uses in the area and the additional residential units would further strengthen the existing commercial base within the neighborhood. The redevelopment of the property further allows for cleaning of a contaminated property, increasing housing density, promoting transit-oriented and sustainable development, and increasing the property tax base. Staff does not believe that the project would prove detrimental to public safety, comfort or general welfare.

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 proposal to allow for the redevelopment of a vacant tax-forfeited property that is located along the Midtown Greenway and the Southwest LRT alignment that provides new high-density housing would prove compatible with the surrounding uses and should not impede normal and orderly development of the area. Adding 185 units to a site that currently accommodates 151 units of apartments would provide additional opportunities for housing within the neighborhood as well as support the existing commercial uses within the general vicinity.

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

The site would continue to be accessed off of the northeast and southeast sides of the site. There is an existing access drive located off of Chowen Avenue South on the northeast side of the site that leads to underground parking areas located in both buildings as well as the surface parking lot located on-site. An existing secondary means of access to the site is located off of West 32nd Street via a cross-access easement. This access points leads directly into the surface parking lot.

The Public Works Department has reviewed the preliminary plan and will review the final plan for compliance with standards related to access and circulation, drainage, and sewer/water connections. The applicant will be required to continue to work closely with the Public Works Department, the Plan Review Section of the Inspections Department and the various utility companies during the duration of the development should the applications be approved. This would be required to ensure that all procedures are followed and that the development complies with all city and other applicable requirements. The applicant is aware that all applicable plans are expected to incorporate any applicable comments or modifications as required by the Public Works Department.

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

Chapter 541 of the Zoning Code requires one off-street parking space per dwelling unit or a total of 336 parking spaces for the proposed residential project. The applicant is proposing to provide a total of 398 off-street parking stalls within the PUD for the 336 dwelling units that include: 76 existing stalls below grade, 202 new below grade and 120 new surface spaces. Of these spaces, a total of 68 are compact. The applicant is also proposing to locate a total of 336 bicycle parking spaces on the premises as well. The subject site is within a block of a future LRT station and is adjacent to the Midtown Greenway. The additional parking provided for the development will help to alleviate the inadequate parking that currently exists on the premises.

A Travel Demand Management Plan (TDMP) was not required by the Public Works Department for this development primarily due to the fact that there are numerous ongoing studies relative to the Southwest LRT line and an active working group focusing on parking and other transportation related issues that includes participants from Hennepin County, Metro Transit and the City of Minneapolis.

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

According to *The Minneapolis Plan for Sustainable Growth*, the subject parcel is located within an area designated as urban neighborhood. Urban neighborhoods are a “predominantly residential area with a range of densities, with highest densities generally to be concentrated around identified nodes and corridors. May include undesignated nodes and some other small-scale uses, including neighborhood-serving commercial and institutional and semi-public uses (for example, schools, community centers, religious institutions, public safety facilities, etc.) scattered throughout. More intensive non-residential uses may be located in neighborhoods closer to Downtown and around Growth Centers. Not generally intended to accommodate significant new growth, other than replacement of existing buildings with those of similar density.” The property is located in close proximity to the designated major retail center at Calhoun and Excelsior. Further, the site is located between West Lake Street and Excelsior Boulevard which are both designated Commercial Corridors. West Lake Street transitions to a Community Corridor at Abbott Avenue South heading west to the city boundary. The proposal to construct a new 6-story, 72-foot tall, 185-unit residential development on the subject site that complements the existing 4-story, 42-foot tall, 151-unit residential development as a unified PUD is consistent with the relevant provisions of *The Minneapolis Plan for Sustainable Growth*, as follows:

Land Use Policy 1.1 states, “Establish land use regulations to achieve the highest possible development standards, enhance the environment, protect public health, support a vital mix of land uses, and promote flexible approaches to carry out the comprehensive plan.” This policy includes the following applicable implementation step: (1.1.5) “Ensure that land use regulations continue to promote development that is compatible with nearby properties, neighborhood character, and natural features; minimizes pedestrian and vehicular conflict; promotes street life and activity; reinforces public spaces; and visually enhances development.”

Land Use Policy 1.3 states, “Ensure that development plans incorporate appropriate transportation access and facilities, particularly for bicycle, pedestrian, and transit.” This policy includes the following applicable implementation steps: (1.3.1) “Require safe, convenient, and direct pedestrian connections between principal building entrances and the public right-of-way in all new development and, where practical, in conjunction with renovation and expansion of existing buildings; and (1.3.2) “Ensure the provision of high quality transit, bicycle, and pedestrian access to and within designated land use features.”

Land Use Policy 1.8 states, “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.” This policy includes the following applicable implementation step: (1.8.1) “Promote a range of housing types and residential densities, with highest density development concentrated in and along appropriate land use features.”

Housing Policy 3.1 states, “Grow by increasing the supply of housing.” This policy includes the following applicable implementation step: (3.1.1) “Support the development of new medium- and high-density housing in appropriate locations throughout the city.”

Housing Policy 3.2 states, “Support housing density in locations that are well connected by transit, and are close to commercial, cultural and natural amenities.” This policy includes the following applicable implementation step: (3.2.1) “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.

Urban Design Policy 10.4 states, “Support the development of residential dwellings that are of high quality design and compatible with surrounding development.” This policy includes the following applicable implementation step: (10.4.2) “Promote the development of new housing that is compatible with existing development in the area and the best of the city’s existing housing stock.”

Urban Design Policy 10.8 states, “Strengthen the character and desirability of the city's urban neighborhood residential areas while accommodating reinvestment through infill development.

The proposal is in conformance with the above noted policies and implementation steps of the Comprehensive Plan.

There is an additional plan that must be considered when evaluating the proposal, the *Midtown Greenway Land Use & Development Plan*, which was adopted by the City Council on February 23, 2007. The *Midtown Greenway Land Use & Development Plan*, includes parcels on each side of the Midtown Greenway from the western boundary of the City to Hiawatha Avenue and designates the subject site as a high-density housing site (40-120 dwelling units per acre) on the future land use plan and also calls for a “Transit-Oriented” development intensity, with larger scale buildings that may exceed five stories. The proposed use is consistent with the adopted *Midtown Greenway Land Use & Development Plan*.

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

City Planning Commission can approve alternatives to the zoning regulations applicable to the zoning district in which the planned unit development is located where the planned unit development includes site amenities. Site amenities are subject to the following standards:

- All planned unit developments shall provide at least one amenity or a combination of amenities that total at least ten 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 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 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.

Minimum required amenity(ies) of 10 points.

1. Outdoor open space – In order to receive points for this amenity, the development must provide contiguous ground level outdoor open space that is related to and proportional with the bulk of the building and landscaped with trees and shrubs. Rain gardens, where appropriate, are encouraged. Walkways and pathways shall be surfaced with pervious pavers, pervious concrete, decorative pavers, stamped concrete, colored concrete, brick or other decorative and durable materials. A minimum of 30% of the site not occupied by buildings shall be landscaped outdoor open space. A minimum of 50% of the provided open space shall be contiguous. The open space must be immediately accessible from the principal structure. Areas should be designed for winter use and related to the built form with consideration given to elements such as providing shelter from wind, utilizing seasonally appropriate materials, maximizing access to sunlight and providing for snow and ice removal.

Based on the materials submitted by the applicant, the net site area is 197,950 square feet in size. The footprint of the buildings on site total 72,551 square feet. As such 125,399 square feet of lot area is not occupied by buildings; 30% of this number is 37, 620 square feet and 50% of this number is 18,810 square feet. As proposed, 67,740 square feet or approximately 54% of the site not occupied by buildings is landscaped and 33,957 square feet is contiguous on the premises which exceeds the minimum standards as noted above. Further, the open space is proportional, landscaped, accessible and designed for use year round. The walkways and pathways on site consist of decorative and durable materials. Designing the site to meet the outdoor open space requirements is worth **5 points**.

2. Pedestrian improvements – In order to receive points for this amenity, the site and building design must allow for exceptional and accessible pedestrian and/or bicycle access through and/or around the site that exceeds the requirements of Chapter 530, Site Plan Review. 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 area in general is devoid of walkways and sidewalks along many of the public streets. The applicant has agreed to construct sidewalks around the perimeter of the site, within the interior of the site, as well as accommodate a direct connection from the site to the Midtown Greenway. Designing the site to comply with the pedestrian improvements requirements is worth **3 points**.

3. Reflective roof – In order to receive points for this amenity, the development must incorporate roofing materials for 75% or more of the total roof surface having a Solar Reflectance Index (SRI) equal to or greater than the values as required by the US Green Building Council for low-sloped and steep-sloped roofs.

The applicant proposes to cover the entire roof with 60 mil, white TPO which is Energy Star rated and has an SRI value in the range of 99-102. Including a reflective roof is worth **3 points**, only two of which are needed to file the PUD.

Therefore, the project meets the minimum required amenities of **10 points** to file the PUD.

Placement and number of principal residential structures. There is an existing 4-story, 42-foot tall, 151-unit residential development located on the property. The applicant proposes to construct another residential building on the site that is 6-stories or 72-foot tall, and consists of 185 units. In order to have more than one principal residential structure on the lot an alternative is required.

Bulk regulations - floor area: No alternative requested.

Bulk regulations - height: No alternative requested.

Lot area requirements: No alternative requested.

Yards: No alternative requested.

On-premise signs: No alternative requested. No signage is proposed at this time.

Off-street parking and loading: No alternative requested.

Amenities provided: In addition to the 10-point minimum required for all planned unit developments, the applicant must provide amenities or a combination of amenities totaling at least **5 points**. The applicant proposes the following amenities from Table 527-1: reflective roof, a recycling storage area, and shared vehicles.

1. The reflective roof noted above contributes **1 point** as a carryover from the section above.
2. A recycling storage area is provided which allows 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. The design of the structure includes facilities for recycling at each floor of the building accessible to all building tenants for recycling of materials as noted above. In addition, the northeast end of the first floor adjacent to the receiving area will be the main recycling area. This provision is worth **1 point**.
3. The applicant proposes to provide shared vehicles for short-term use. In order to qualify for the points, a minimum of one car per 100 dwelling units is required. Based on the overall number of dwelling units in the PUD, a total of 3 shared vehicles must be provided. The developer has agreed to contract with either Zip or Hour car to provide 3 shared vehicles for Calhoun Greenway residents. This provision is worth **3 points**.

Based on the analysis listed above, totaling both the standard amenities outlined in Table 527-1 and those additional being requested, a total of 15 points are being provided which meet the minimum of 15 points required based on the alternatives requested for the PUD.

Phasing plan: Not applicable as the redevelopment will transpire in one phase.

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.

The development would provide a mix of rental housing including studio, one and two bedroom units. The proposed development would fit in well with the neighborhood context as the surrounding area includes a mixture of residential and commercial uses that are of varying heights, style, and designs.

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 development would not be expected to have a negative impact on traffic movement in the vicinity. While no TDMP was required by the Public Works Department for the proposed project, there are numerous ongoing studies relative to the Southwest LRT line and an active working group focusing on parking and other transportation related issues that includes participants from Hennepin County, Metro Transit and the City of Minneapolis. As previously noted, the subject site is within a block of a future LRT station and is adjacent to the Midtown Greenway.

The parking proposed for the development complies with the minimum parking requirements as outlined in Chapter 541 of the Zoning Code. The development requires 336 parking spaces and the applicant is proposing to provide a total of 398 off-street parking stalls that include: 76 existing stalls below grade, 202 new below grade and 120 new surface spaces. Of these spaces, a total of 68 are compact. The applicant is also proposing to locate a total of 336 bicycle parking spaces on the premises.

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.

Based on the materials submitted by the applicant, the net site area is 197,950 square feet in size. The footprint of the buildings on site total 72,551 square feet. As such 125,399 square feet of lot area is not occupied by buildings; 30% of this number is 37, 620 square feet and 50% of this number is 18,810 square feet. As proposed, 67,740 square feet or approximately 54% of the site not occupied by buildings is landscaped and 33,957 square feet is contiguous on the premises which exceeds the minimum standards as noted above. Further, the open space is proportional, landscaped, accessible and designed for use year round. The design of the structure incorporates CPTED principles including active uses on the ground floor, adequate site lighting, etc.

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.

There is an existing 4-story, 42-foot tall, 151-unit residential building located on the premises and the applicant proposes to construct a new 6-story, 72-foot tall, 185-unit residential development on the subject site. The uses within the general area are varied and include primarily residential and commercial uses. The proposed structure would likely result in minimal impacts on microclimate effects and on existing views and corridors. The proposal results in a development that will bring added density to a location that has been deemed suitable for it according to adopted city policies. Further, with the construction of the Southwest Corridor LRT line, the subject site will be approximately one block from the closest station and would be a development that is consistent with adopted city policies that encourage transit-oriented development.

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 structure would become a unified development with the existing structure currently located on the site as part of the PUD. The Midtown Greenway abuts the property directly to the north and there have been concerns regarding the massing and corresponding shadowing proposed for the site as the length of the building, although recessed, does not provide as much articulation as desired and is nearly 385 feet long. However, the proposed development complies with the height limitations in the R6 district as the building is still 12 feet shorter than it could be under the district regulations. The property would be extensively landscaped as part of the redevelopment of the site. The overall project concept, however, to incorporate high-density housing in this location is consistent with adopted city policies.

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 would need to continue to work closely with the Public Works Department, the Plan Review Section of the Inspections Department and the various utility companies during the duration of the development to ensure that all procedures are followed in order to comply with city and other applicable requirements. The 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.

As proposed, the development would also utilize a construction waste recycling program.

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

The applicant has submitted a preliminary plat for the site which complies with all of the applicable requirements in Chapter 598 of the Zoning Code.

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.
 - 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 shall be measured as indicated in section 530.120 of the zoning code.

Minimum window area shall be measured as indicated in section 530.120 of the zoning code.

- **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.

As previously noted, there is an existing 4-story, 42-foot tall, 151-unit residential building currently located on the premises. The applicant proposes to construct a new 6-story, 72-foot tall, 185-unit residential building adjacent to the existing building. The existing building will not be evaluated using the above noted standards; however, the proposed structure will be analyzed.

The development is subject to required yards along the periphery of the property although all yards are considered rear/interior side yards. A total of 185 residential units are proposed to be located within the proposed modified L-shaped structure on the site. The shape of the lot is triangular and the portion of the lot where the building is proposed is interior to the site without street frontage; the proposed building fronts on the Midtown Greenway which is located directly north of the subject site. Despite the configuration of the building and the lot, the design of the structure maximizes natural surveillance and visibility, and facilitates pedestrian access and circulation interior to the site and along the street frontages as new sidewalks and walkways are proposed.

The north, south and east elevations of the building are subject to a 20% window requirement. Windows between 2 and 10 feet are required in order to provide natural surveillance and visibility by having active uses located along public streets, facing on-site parking areas and public pathways.

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On the north elevation of the proposed structure facing the Midtown Greenway, a public pathway, the proposal exceeds the 20% window requirement as a total of 26% are provided overall. The windows are vertical in nature and evenly distributed except for a small portion of the north elevation where access to the underground parking is provided. In that area, due to the grade, the lower level of the building is exposed in this location and due to the height of the first floor there are no windows technically in this area that count towards the 20% (although as previously noted, when combined with the remaining portions of the north elevation the elevation as a whole exceeds the 20% requirement), although windows are provided on the first floor. Alternative compliance is necessary for window distribution. Due to the fact that the overall elevation exceeds the window requirement and a portion of the elevation must accommodate access to the lower level of the building, Planning Staff would recommend that the Planning Commission grant alternative compliance in this specific circumstance.

The south elevation of the proposed structure facing the on-site parking lot exceeds the 20% window requirement as a total of 30% are provided overall. The windows are vertical in nature and evenly distributed except for a small portion of the south elevation at the far west end of the site due to an interior lobby and stairwell. Alternative compliance is necessary for window distribution. Due to the fact that the overall elevation exceeds the window requirement, Planning Staff would recommend that the Planning Commission grant alternative compliance in this specific circumstance.

The east elevation of the proposed structure facing the on-site parking lot exceeds the 20% window requirement as a total of 28% are provided overall. The windows are vertical in nature and evenly distributed.

The proposed development meets the 10% window requirement on each floor above the first floor that faces the public pathway and on-site parking areas. The windows in the building are vertical in nature and are more or less evenly distributed along the building walls.

As proposed, the building complies with the active functions provision as outlined above.

The exterior materials and appearance of the rear and side walls of the proposed building would be similar to and compatible with the front of the building. The materials on the proposed structure would include brick, stucco and extensive use of cement board panels. Planning Staff is concerned with the sheer volume of cement board panels utilized on the elevations; the Planning Commission shares the same concern and as such the applicant is in the process of modifying the elevation to reduce the amount. New elevations will be presented at the Planning Commission public hearing. Decorative metal elements would also be included.

The proposed building incorporates architectural elements including recesses and projections, windows and entries. There are blank uninterrupted walls that exceed 25 feet in width on the ground floor of the east elevation and southeast elevations of the building. Alternative compliance is necessary. Planning Staff would recommend that the Planning Commission require that the elevations comply with this provision. The principal roof line of the building will be flat. In the area both pitched roofs and flat roofed buildings can be found.

There is both enclosed and surface parking proposed. A total of 398 off-street parking stalls that include: 76 existing stalls below grade, 202 new below grade and 120 new surface spaces are located on the development site.

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.

The principal entry to the proposed building is located on the east elevation of the structure although there are multiple secondary entrances into the building. All entrances will be connected via walkways to new public sidewalks that will be installed around the perimeter of the site. Both the walkways and the sidewalks will be a minimum of 4 feet in width.

There are no transit shelters incorporated within the development, however, there are two bus lines that serve the area. Further, the property is located within a block of a proposed station along the Southwest LRT line.

The site has been designed to minimize conflicts with pedestrian traffic and surrounding residential uses. The number of curb cuts has been minimized to the extent practical as there are two existing curb cuts to the site that will remain.

There is no public alley abutting the site.

Although the development incorporates 120 surface parking stalls, the majority of the parking proposed on the premises is underground. The applicant has attempted to reduce the amount of impervious surfaces by incorporating extensive open space and landscaped areas. As proposed, 67,740 square feet or approximately 54% of the site not occupied by buildings will be landscaped.

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.**

According to the applicant, once the project is complete, approximately 67,740 square feet or 54% of the site not occupied by buildings will be landscaped, which would exceed the 20% landscaping requirement. The site is approximately 197,950 square feet in size with buildings occupying a footprint of 72,551 square feet. Based on the site information, approximately 25,080 square feet of landscaping would be required. The zoning code requires that there be at least 50 trees and 251 shrubs planted on the site. The applicant is proposing to have 69 deciduous trees, 20 coniferous trees and 103 shrubs on the premises (as well as perennials). The proposal is not meeting the minimum landscape quantity requirements for shrubs or the canopy tree requirement. Alternative compliance is necessary. Planning Staff will recommend that the Planning Commission grant partial alternative compliance in this circumstance as the wide diversity of tree plantings will provide an appropriate species balance on the premises provided additional shrubs are installed. As such Planning Staff would recommend that the Planning Commission require 69 deciduous trees and 20 coniferous trees as shown on the submitted plans as well as a minimum of 251 shrubs. The landscaping around the existing building should be updated as well.

There is a 120 space surface parking lot located on the south and east sides of the proposed building. The site is subject to a 9-foot wide perimeter landscaping requirement along the south side of the property abutting the residential uses. The parking lot is in compliance as a 10-foot wide landscaped yard is provided and screening in the form of a 6-foot tall wood fence is provided in this location as well. There are parking lot islands located on the southeast side of the site that are not compliant with the provision that trees islands have a minimum width of 7 feet in any direction, however, their placement meets the intent of the provision. Planning Staff would recommend that the Planning Commission grant alternative compliance in this specific circumstance as it would not be practical to require that they meet this provision. All parking spaces are located within 50 feet of an on-site deciduous tree.

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.**

The applicant is proposing to provide a total of 398 off-street parking stalls within the PUD for the 336 dwelling units that include: 76 existing stalls below grade, 202 new below grade and 120 new surface spaces. The site would continue to be accessed off of the northeast and southeast sides of the site. There is an existing access drive located off of Chowen Avenue South on the northeast side of the site that leads to underground parking areas located in both buildings as well as the surface parking lot located on-site. An existing secondary means of access to the site is located off of West 32nd Street via a cross-access easement. This access points leads directly into the surface parking lot. The water drainage on site has been designed so as not to drain onto any adjacent lots. The applicant is providing on-site retention and filtration.

Staff would expect the proposal to have some impacts on the blocking of views as currently the area where the building is proposed is vacant. The proposed structure would also be expected to have additional shadowing impacts on adjacent properties and the Midtown Greenway as well as on light, wind and air in relation to the surrounding area.

There are no designated or eligible historic structures on the subject property.

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 - The proposed use as a PUD is conditional in the R6 district

With the approval of the conditional use permit, site plan review, and preliminary and final plat this development would meet the requirements of the R6 zoning district.

Parking and Loading:

Minimum automobile parking requirement: Chapter 541 requires one off-street parking space per dwelling unit or a total of 336 parking spaces for the proposed residential project. The applicant is proposing to provide a total of 398 off-street parking stalls within the PUD for the 336 dwelling units that include: 76 existing stalls below grade, 202 new below grade and 120 new surface spaces. Of these spaces, a total of 68 are compact.

Maximum automobile parking requirement: The maximum automobile parking provision is typically not applicable for residential developments when parking is enclosed. However, a portion of the parking proposed for the PUD is surface parking as such the provision outlining the maximum number of vehicles per dwelling pertains (Section 541.450). Not more than two parking spaces per dwelling unit can be unenclosed. The proposal to provide 398 off-street parking spaces for 336 dwellings of which 120 spaces are surface stalls is compliant with the maximum automobile parking requirement as a total of 672 could be provided.

Bicycle parking requirement: Chapter 541 requires one space per two units for the proposed development. Therefore a total of 168 bicycle parking spaces must be provided. Not less than 90% of the required bicycle parking shall meet the standards for long-term bicycle parking which are as follows:

- *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. With permission of the zoning administrator, long-term bicycle parking spaces for non-residential uses may be located off-site within three hundred (300) feet of the site.*

The proposal includes parking for 336 bicycles within the lower levels of both structures.

Loading: The minimum loading requirement for multiple-family dwellings over 250 units is two small loading spaces (10 feet in width by at least 25 feet in length) or one large loading space (12 feet in width by at least 50 feet in length). Two small loading spaces will be located in the surface parking lot located on the premises.

Dumpster screening: Section 535.80. Refuse storage containers shall be enclosed on all four (4) sides by screening compatible with the principal structure not less than two (2) feet higher than the refuse container or shall be otherwise effectively screened from the street, adjacent residential uses located in a residence or office residence district and adjacent permitted or conditional residential uses. A trash and recycling room is located within the existing structure in the lower level of the building.

Signs: No signage is proposed at this time. All new signage is required to meet the requirements of the code. Permits are required from the Zoning Office should any signage be included for the development. Should any proposed signage not meet Chapter 543 of the Zoning Code, a PUD amendment will be required that includes a corresponding comprehensive sign plan.

Maximum Floor Area: The maximum F.A.R. for multiple-family dwelling units in the R6 District is the gross floor area of the buildings (166,796 square feet and 160,107 square feet) which totals 326,903 square feet divided by the area of the lot which is 197,950 square feet. The outcome is 1.65 which is less than the maximum of 3.0 that is permitted in the R6 district. The proposed development is in compliance with this provision.

Minimum Lot Area: The project would meet the minimum lot area requirement of the R6 District and the minimum lot width requirement. The lot has 197,950 square feet of lot area. For multiple-family dwellings 5,000 square feet or 400 square feet per dwelling unit is required, whichever is greater. Based on the proposal to include 336 residential units, 134,400 square feet of lot area would be required. The project is in compliance with the minimum lot area requirements as a total of 494 residential units would be permitted on the premises.

Dwelling Units per Acre: Based on the lot area of 197,950 square feet or 4.54 acres and a total of 336 units provided, 74 dwelling units per acre are being provided based on the proposal.

Height: Maximum building height for principal structures located in the R6 district is 6 stories or 84 feet, whichever is less. The existing building is 4-stories or 42 feet tall, and the proposed building is 6 stories or 72 feet tall. Both buildings comply with the maximum building height allowed in the R6 district.

Yard Requirements: The required yards are as follows:

Rear/Interior yards: (5+2x): 15 feet

All yards are being met for the development

Building coverage: The maximum building coverage in the R6 district is 70 percent. Buildings would cover approximately 63% of the site.

Impervious surface area: The maximum impervious surface coverage in the R6 district is 85 percent. Impervious surfaces would cover approximately 66% of the site.

MINNEAPOLIS PLAN:

See the above listed response to finding #5 in the conditional use permit application for a PUD. The policies and implementation steps outlined apply to the proposed site plan review application as well.

Section C: Conformance with Applicable Development Plans or Objectives Adopted by the City Council

See the above listed response to finding #5 in the conditional use permit application for a PUD. The relevant provisions of the *Midtown Greenway Land Use & Development Plan* apply to the proposed site plan review application as well.

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.**

Alternative compliance is requested by the applicant to meet the following standards:

Window distribution: On the north elevation of the proposed structure facing the Midtown Greenway, a public pathway, the proposal exceeds the 20% window requirement as a total of 26% are provided overall. The windows are vertical in nature and evenly distributed except for a small portion of the north elevation where access to the underground parking is provided. In that area, due to the grade, the lower level of the building is exposed in this location and due to the height of the first floor there are no windows technically in this area that count towards the 20% (although as previously noted, when combined with the remaining portions of the north elevation the elevation as a whole exceeds the 20% requirement), although windows are provided on the first floor. Alternative compliance is necessary for

window distribution. Due to the fact that the overall elevation exceeds the window requirement and a portion of the elevation must accommodate access to the lower level of the building, Planning Staff would recommend that the Planning Commission grant alternative compliance in this specific circumstance.

The south elevation of the proposed structure facing the on-site parking lot exceeds the 20% window requirement as a total of 30% are provided overall. The windows are vertical in nature and evenly distributed except for a small portion of the south elevation at the far west end of the site due to an interior lobby and stairwell. Alternative compliance is necessary for window distribution. Due to the fact that the overall elevation exceeds the window requirement, Planning Staff would recommend that the Planning Commission grant alternative compliance in this specific circumstance.

Blank walls: The proposed building incorporates architectural elements including recesses and projections, windows and entries. There are blank uninterrupted walls that exceed 25 feet in width on the ground floor of the east elevation and southeast elevations of the building. Alternative compliance is necessary. Planning Staff would recommend that the Planning Commission require that the elevations comply with this provision.

Landscape quantities: The zoning code requires that there be at least 50 trees and 251 shrubs planted on the site. The applicant is proposing to have 69 deciduous trees, 20 coniferous trees and 103 shrubs on the premises (as well as perennials). The proposal is not meeting the minimum landscape quantity requirements for shrubs or the canopy tree requirement. Alternative compliance is necessary. Planning Staff will recommend that the Planning Commission grant partial alternative compliance in this circumstance as the wide diversity of tree plantings will provide an appropriate species balance on the premises provided additional shrubs are installed. As such Planning Staff would recommend that the Planning Commission require 69 deciduous trees and 20 coniferous trees as shown on the submitted plans as well as a minimum of 251 shrubs. The landscaping around the existing building should be updated as well.

Tree islands: There are parking lot islands located on the southeast side of the site that are not compliant with the provision that trees islands have a minimum width of 7 feet in any direction, however, their placement meets the intent of the provision. Planning Staff would recommend that the Planning Commission grant alternative compliance in this specific circumstance as it would not be practical to require that they meet this provision.

PRELIMINARY PLAT – PL - 265

Required Findings:

1. The subdivision is in conformance with these land subdivision regulations, the applicable regulations of the zoning ordinance and policies of the comprehensive plan.

The applicant is proposing to consolidate several existing platted lots into one lot for a Planned Unit Development (PUD).

The subdivision is in conformance with the design requirements of the land subdivision regulations except for Section 598.230 (5), which requires utility easements to be five feet wide on side lot lines and ten feet wide on rear lot lines, where no alley is provided. In order to be in conformance with the land subdivision regulations, a variance of Section 598.230 (5) is required to eliminate the drainage and utility easements from both lots. While variances from the zoning code require a separate application, variances

from the subdivision standards are done as a part of the subdivision application subject to the standards listed below.

598.310. Variances. Where the planning commission finds that hardships or practical difficulties may result from strict compliance with these regulations, or that the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve variances to any or all of the provisions of this chapter. In approving variances, the planning commission may require such conditions as it deems reasonable and necessary to secure substantially the objectives of the standards or requirements of these regulations. No variance shall be granted unless the planning commission makes the following findings:

- (1) There are special circumstances or conditions affecting the specific property such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of land.
- (2) The granting of the variance will not be detrimental to the public welfare or injurious to other property in the area in which the property is located.

Given the layout of the site, and the fact that there is an existing structure on the premises, the drainage and utilities would not match the required easement locations and are not necessary, so Staff recommends granting the variance in this specific circumstance.

ZONING CODE

The use of the site as a PUD is conditional in the R6 district. With the approval of the conditional use permit, site plan review, preliminary and final plat this development meets the applicable requirements of the R6 zoning district.

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

The applicant is proposing to consolidate several existing platted lots into one new lot. Staff does not believe that the proposed plat would be injurious to the use and enjoyment of surrounding property, nor be detrimental to present and potential surrounding land uses, nor add substantially to congestion in the public streets. There are various conditions of approval on the PUD site plan that should address any negative impacts of the development.

3. All land intended for building sites can be used safely without endangering the residents or users of the subdivision or the surrounding area because of flooding, erosion, high water table, soil conditions, improper drainage, steep slopes, rock formations, utility easements or other hazard.

The site is developed and does not present the above hazards.

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

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

5. The subdivision makes adequate provision for stormwater runoff, and temporary and permanent erosion control in accordance with the rules, regulations and standards of the city engineer and the requirements of these land subdivision regulations. To the extent practicable, the amount of stormwater runoff from the site after development will not exceed the amount occurring prior to development.

Public Works shall review and approve all drainage and sanitary system plans before building permits are issued.

RECOMMENDATIONS

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for the Conditional Use Permit for a Planned Unit Development to allow a new 6-story, 72 foot tall, 185-unit residential development on the properties located at 3140 Chowen Avenue South and 3129 Ewing Avenue South subject to the following conditions of approval:

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. 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 totaling a minimum of 15 points: outdoor open space, pedestrian improvements, reflective roof, shared vehicles and a recycling storage area.

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 **approve** the site plan review application for a Planned Unit Development on the properties located at 3140 Chowen Avenue South and 3129 Ewing Avenue South subject to the following conditions of approval:

1. Planning Staff review and approval of the final site, elevation, lighting and landscaping plans.
2. All site improvements shall be completed by June 25, 2014, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
3. The blank walls greater than 25 feet in width on the east and southeast elevations of the building shall

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be modified to incorporate architectural elements including recesses and projections, windows and entries per Section 530.120 of the Zoning Code.

4. The final landscape plan shall incorporate 69 deciduous trees and 20 coniferous trees as shown on the submitted plans as well as a minimum of 251 shrubs.
5. Cement board panels shall not exceed more than 30% coverage on any single elevation of the proposed building.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission **approve** the preliminary plat application and the drainage and utility easement variance for the properties located at 3140 Chowen Avenue South and 3129 Ewing Avenue South.

Attachments:

1. Statement of use and description of the project
2. Findings for the CUP
3. General correspondence
4. Zoning map
5. Plans - site, landscape, floor, elevations, civils
8. Photos
9. PDR notes