

**Department of Community Planning and Economic Development**  
Variances and Site Plan Review  
BZZ-5876

**Date:** January 22, 2013

**Applicant:** William Wells

**Address of Property:** 621-629 15<sup>th</sup> Avenue SE and 1416 7<sup>th</sup> Street SE

**Project Name:** 621 15<sup>th</sup> Ave SE – A new housing project

**Contact Person and Phone:** William Wells, Architect, (612) 669-2052

**Planning Staff and Phone:** Aly Pennucci, (612) 673-5342

**Date Application Deemed Complete:** December 3, 2012

**End of 60-Day Decision Period:** February 2, 2012

**Ward: 3 Neighborhood Organization:** Marcy Holmes

**Existing Zoning:** R5 Multiple-family District and UA University Area Overlay District

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

**Zoning Plate Number:** 15

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

**Proposed Use:** Multiple-family dwelling with 12 units

**Concurrent Review:**

- **Variance** to reduce the front yard setback along 15<sup>th</sup> Avenue Southeast from 15 feet two inches to 11 feet and along 7<sup>th</sup> Street Southeast from 15 feet to 7 feet for the building and open front porches.
- **Variance** to reduce the interior side yard setback along the south property line from 11 feet to 9 feet for the building.
- **Variance** to reduce the interior side yard setback along the west property line from 5 feet to 2.5 feet for the accessory parking area.
- **Variance** to reduce the minimum parking requirement from 17 to 16 spaces.
- **Variance** to increase the percentage of required parking spaces that may be satisfied by providing compact spaces from 25 percent to approximately 53 percent.
- **Variance** to increase the height of the fence along 7<sup>th</sup> Street Southeast in the required front yard from 3 feet to 6 feet.
- **Site plan review.**

**Applicable zoning code provisions:** Chapter 525, Article IX Variances, specifically section 525.520 (1) “To vary the yard requirements, including permitting obstructions into required yards not allowed by the applicable regulations” (5) “To permit an increase in the maximum height of a fence” (6) “To vary the applicable minimum and maximum number of required off-street parking, stacking or loading spaces” and (7) “To increase the percentage of required parking spaces that may be satisfied by providing compact spaces” and Chapter 530 Site Plan Review.

**Background:** The applicant is proposing a four-story multiple-family dwelling with 12 dwelling units and a total of 38 bedrooms at 621-629 15<sup>th</sup> Avenue Southeast and 1416 7<sup>th</sup> Street Southeast in the R5 multiple family residence district. The four existing buildings, currently used as lodging/rooming houses, will be demolished to make way for the new construction. Site plan review is required for any development with five or more dwelling units.

Several variances have also been requested for the project. Multiple-family dwellings in the R5 district have a minimum front yard setback of 15 feet or the setback established by adjacent residential structures. The development site is located on the southwest corner of the intersection of 15<sup>th</sup> Avenue Southeast and 7<sup>th</sup> Street Southeast. The adjacent property to the west has frontage along 7<sup>th</sup> Avenue southeast, making the subject site a reverse corner lot. Because of the reverse corner lot configuration, this lot is subject to two front yard requirements, one along 15<sup>th</sup> Avenue Southeast and one along 7<sup>th</sup> Street Southeast. The building wall will be set back 15 feet two inches from the front lot line along 15<sup>th</sup> Avenue Southeast, in line with the adjacent residential structure to the south, but will have front porches that project into the required yard. A variance has been requested to reduce the front yard setback to 11 feet along 15<sup>th</sup> Avenue Southeast. The building wall will be setback 10 or more feet from the front lot line along 7<sup>th</sup> Street Southeast and will have an open front porch that projects three feet further into the required yard. A variance has been requested to reduce the front yard setback from 15 feet to seven feet along 7<sup>th</sup> Street Southeast.

Multiple-family dwellings in the R5 district have a minimum side yard setback requirement of 5+2X, where x is the number of stories above the first floor. The required side yard setback for the proposed four story building along the south interior side property line is 11 feet. The proposed building wall will be setback nine feet from this property line. A variance has been requested. The surface parking area is proposed to be located 2.5 feet from the west interior side property line. The parking area is subject to a five foot setback from this property line. A variance has been requested.

A fence in a required front yard cannot exceed three feet in height unless the fence is open and decorative, and then it can be increased to four feet in height. The applicant has proposed an open and decorative six foot tall fence adjacent to 7<sup>th</sup> Street Southeast. A variance has been requested.

The minimum vehicle parking requirement for residential uses in the UA Overlay District is .5 spaces per bedroom, but not less than one space per dwelling unit. In this case, there are 12 dwelling units and 38 bedrooms so the requirement is 19 parking spaces. The site qualifies for a ten percent reduction in parking because it is located within three hundred (300) feet of a transit stop with midday service headways of thirty (30) minutes or less in each direction. The reduced parking requirement for the use is 17 stalls. The applicant is providing 16 parking stalls and has requested a variance accordingly. Not more than 25 percent of the required spaces can be compact spaces. The applicant has proposed nine compact spaces or 53 percent of the total spaces required. A variance has been requested.

As of the writing of this report staff has not received comments from the Marcy Holmes Neighborhood Association. Any comments, if received, will be forwarded to the Commission.

**VARIANCE:** To reduce the front yard setback along 15<sup>th</sup> Avenue SE from 15 feet two inches to 11 feet and to reduce the front yard setback along 7<sup>th</sup> Street Southeast from 15 feet to 7 feet to allow the building and open front porches to project into the required yards.

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

- 1. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.**

The site is a reverse corner lot with 15 foot minimum front yard requirements adjacent to 7<sup>th</sup> Street Southeast and 15<sup>th</sup> Avenue Southeast. The adjacent residential structure to the south along 15<sup>th</sup> Avenue Southeast is setback 15 feet two inches. The building will be set back 15 feet two inches from the front lot line along 15<sup>th</sup> Avenue Southeast, except where the open front porches extend into the required yard by four feet. The building wall will be setback 10 to 12 feet along 7<sup>th</sup> Street Southeast and the open front porch on this elevation will be setback seven feet from the front property line.

The proposed building placement and the addition of open porches will allow for increased street activity, consistent with the *Marcy Holmes Master Plan/15<sup>th</sup> Ave design plan* and accommodates additional outdoor space for residents and parking behind the building. The size of the site limits where parking can be provided and the applicant has indicated that enclosed or below-grade parking is not likely feasible. The proposed building placement along the front yards is intended to maximize the interaction with the public streets and sidewalks. These circumstances are unique and have not been created by the property owner.

- 2. The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.**

In general, yard controls are established to provide for the orderly development and use of land and to minimize conflicts among land uses by regulating the dimension and use of yards in order to provide adequate light, air, open space and separation of uses. The variance is requested to allow open front porches and allow for increased street activity. The majority of the building will be setback 10 to 15 feet along both front yards. The *Marcy Holmes Master Plan/15<sup>th</sup> Ave design plan* calls for a pedestrian promenade on 15<sup>th</sup> Avenue Southeast, established by expanding the sidewalk, improving the landscaping, setting buildings back 15 feet from the sidewalk, and creating lively facades with raised patios, balconies and common spaces. The plan also calls for the east-west streets (this includes 7<sup>th</sup> Street Southeast) to contain stoops at the sidewalk that create a transition between the neighborhood and the promenade area. The request is reasonable and is in keeping with the spirit and intent of the ordinance and the comprehensive plan.

- 3. The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will**

**not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.**

The existing residential structure to the south of the development site along 15<sup>th</sup> Avenue Southeast is setback 15 feet two inches and has an enclosed entry vestibule that extends approximately four feet into the front yard. The adjacent multiple family residential structure to the west along 7<sup>th</sup> Street Southeast is setback approximately six feet from the front property line. Granting of the variance should have little effect on surrounding properties and would not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

**VARIANCE:** To reduce the interior side yard setback from 11 feet to 9 feet

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

- 1. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.**

The minimum interior side yard requirement is equal to  $5+2x$ , where  $x$  is equal to the number of stories above the first floor. A four story building is proposed; therefore the minimum setback requirement for the building wall is 11 feet. The side yard setback is proposed at nine feet. The applicant is attempting to balance providing some density on the site while still providing outdoor space for the residents. In order to minimize the projection into the required front yard along 7<sup>th</sup> Street Southeast and provide outdoor space to the rear of the building, it is difficult to meet the 11 foot setback requirement for a four story building. These circumstances are unique and have not been created by the property owner.

- 2. The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.**

The request to allow a reduced side yard setback along the south interior side yard is reasonable and is in keeping with the spirit and intent of the ordinance and the comprehensive plan. The intent of having yard controls is to provide for the orderly development and use of land and to minimize conflicts between adjacent land uses by regulating the dimension and use of yards in order to provide adequate light, air, open space and separation of uses. The proposed handicap accessible ramp is a permitted obstruction in a required side yard; the structured ramp will be setback at least four feet from the side property line and a walkway will be located between the ramp and the property line. The walkway is also a permitted obstruction in the required side yard. The proposed building will be located 23 feet from the adjacent residential structure and will not diminish light, air or open space for the adjacent property.

- 3. The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.**

Reducing the side yard setback along the south property line will not be injurious to the neighboring property, as the neighboring property is setback 14.3 feet from the property line and the existing residential structure on the subject site is located nine feet from the side yard setback. This type of urban design is consistent with the character of the area.

**VARIANCE:** To reduce the interior side yard setback along the west property line from 5 feet to 2.5 feet for the accessory parking area

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

- 1. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.**

The minimum interior (west) side yard requirement for the surface parking area is five feet. The parking area is also subject to a seven foot landscaping requirement that is addressed in the site plan review analysis below. The existing parking area that serves the four existing rooming/lodging houses is built up to the property line. The applicant is attempting to balance increased density on the site, increasing the amount of usable outdoor space for the residents and providing off-street parking on the site. The size of the site limits where and how much surface parking can be provided and the applicant has indicated that enclosed or below-grade parking is not likely feasible. These circumstances are unique and have not been created by the property owner.

- 2. The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.**

The request to allow a reduced side yard setback along the west interior property line is reasonable and is in keeping with the spirit and intent of the ordinance and the comprehensive plan. The intent of having yard controls is to provide for the orderly development and use of land and to minimize conflicts between adjacent land uses by regulating the dimension and use of yards in order to provide adequate light, air, open space and separation of uses. This variance request is for an open parking area and not for the building wall and therefore will allow adequate separation from adjacent uses. The proposed building will be located 80 feet from the adjacent residential structure and will not diminish light, air or open space for the adjacent property.

- 3. The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.**

Reducing the side yard setback along the west property line will not be injurious to the neighboring property, as the building will be approximately 66 feet from the property line and the existing residential structure on the subject site is located 17 feet from the shared property line. This type of urban design is consistent with the character of the area.

**VARIANCE:** To reduce the minimum parking requirement from 17 to 16 spaces.

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

- 1. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.**

Generally, the minimum parking requirement for multiple-family dwellings is one space per unit. In the UA overlay district, 0.5 spaces per bedroom, but not less than one space per dwelling unit, is required. A total of 38 bedrooms are proposed. Therefore, 19 spaces are required. The use qualifies for a 10 percent reduction of the minimum parking requirement because the site is located within 300 feet of a transit stop with midday service headways of 30 minutes or less, which reduces the minimum parking requirement to 17 spaces. A total of 16 parking spaces, including one accessible space, are proposed. The proposed parking ratio is 1.3 spaces per dwelling unit and 0.42 spaces per bedroom.

Currently the property is comprised of four parcels with residential buildings used as rooming houses. Each rooming house has seven legal bedrooms, totaling 28 existing bedrooms on the development site. In the UA Overlay District 28 bedrooms requires 14 parking stalls. The existing parking areas for each of the existing residential structures are not in compliance with the City's surfacing, striping and dimensional requirements making it difficult to determine how many legal parking stalls exist on site. Based on the existing survey, staff estimates that at best the existing site configuration could accommodate four to six legal parking stalls. This means that the existing site is approximately 57 to 71 percent (or 8 to 10 spaces) below the minimum number of parking spaces required. The applicant will provide more than one parking space per dwelling unit and is seeking a variance to reduce the required number of off-street parking stalls by five percent, or one parking space. The size of the site limits where parking can be provided and the applicant has indicated that enclosed or below-grade parking is not likely feasible. In order to accommodate additional dwelling units at a lower price point in this area, the site conditions make it practically difficult to comply with the ordinance. The proposed reduction in parking spaces from 17 spaces to 16 spaces for the development is appropriate given the location and the availability of alternative forms of transportation due to the sites proximity to the University of Minnesota. Several bus lines are within walking distance from the site.

- 2. The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.**

The purpose of parking regulations is to provide for the parking needs of uses and structures and to enhance the compatibility between parking areas and their surroundings. The proposed parking ratio is 1.3 spaces per dwelling unit and 0.42 spaces per bedroom. The site is located in close proximity to the University of Minnesota and has convenient access to alternative modes of transportation. The proposed amount of parking should be sufficient, encourages the use of alternative modes of transportation and is in keeping with the spirit and intent of the ordinance and the comprehensive plan.

- 3. The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.**

The site is located in close proximity to the University of Minnesota and has convenient access to multiple modes of transportation. In addition, the parking ratio per dwelling unit and per bedroom will be an overall increase for the area compared to the existing conditions. Granting the variance should not have any effect on adjacent uses. It would not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

**VARIANCE:** to increase the percentage of required parking spaces that may be satisfied by providing compact spaces from 25 percent to approximately 53 percent

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

- 1. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.**

As described above, the minimum off-street parking requirement for the proposed 12 unit multiple-family dwelling with 38 bedrooms is 17 spaces. At least 75 percent of the required parking spaces are required to comply with the minimum dimensions for standard spaces. For 90 degree parking spaces, as shown on the site plan, a standard space is 18 feet deep by eight feet six inches wide. Compact spaces are 15 feet deep by eight feet wide. The development is required to have 17 parking spaces, so at least 13 spaces are required to be standard spaces and four would be allowed to be compact spaces. A total of 16 parking spaces, including one accessible space and nine compact stalls are proposed. Because the proposed number of compact spaces exceeds the maximum number allowed to count toward meeting the minimum parking requirement, the applicant is requesting a variance.

The applicant is attempting to balance increased density on the site, increasing the amount of usable outdoor space for the residents and providing off-street parking on site. The size of the site limits where parking can be provided and the applicant has indicated that enclosed or below-grade parking is not likely feasible. By increasing the number of compact stalls and reducing the total number of required parking on site, the development will provide additional green space on the property. It would be difficult to incorporate the green space without making the building smaller or reducing the size of the parking spaces. In order to accommodate additional dwelling units at a lower price point in this area, the site conditions make it practically difficult to comply with the ordinance.

- 2. The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.**

The purpose of parking regulations is to provide for the parking needs of uses and structures and to enhance the compatibility between parking areas and their surroundings. With compact vehicles on

the rise, opportunities exist to not only reduce required stall sizes, but to also allow for more compact parking spaces. Supporting the use of small vehicles and subsequently allowing more compact stalls is one of the ways to reduce the amount of impervious surfaces associated with the project and increase green space. The proposed amount of parking and compact stalls should be sufficient and encourages the use of alternative modes of transportation; this is in keeping with the spirit and intent of the ordinance and the comprehensive plan.

- 3. The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.**

The site is located in close proximity to the University of Minnesota and has convenient access to multiple modes of transportation. In addition, the parking ratio and the size of parking stalls and drive aisles will be an increase for the area compared to the existing conditions. Granting the variance should not have any effect on adjacent uses. It would not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

**VARIANCE:** to increase the height of the fence along 7<sup>th</sup> Street Southeast in the required front yard from 3 feet to 6 feet.

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

- 1. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.**

A fence in a required front yard cannot exceed three feet in height unless the fence is open and decorative, and then it can be increased to four feet in height. The applicant has proposed a six foot tall fence adjacent to 7<sup>th</sup> Street Southeast. The fence is proposed as an open and decorative iron fence with brick columns and will have landscaping in front to screen the surface parking area. The zoning code requires that screening not exceeding three feet in height and not less than 60 percent opaque is provided along the public street or sidewalk. The screening and fence height requirements along a public street are intended to provide aesthetic screening of surface parking areas, provide a clear separation between public and private space, and reinforce crime prevention through environmental design (CPTED) principals. CPTED principles encourage the use of fencing and landscaping to provide natural access control while also encourage the “see and be seen” principal to allow for natural surveillance of spaces. Providing a three foot tall fence, or four feet if open and decorative, will provide that delineation of space and access control while also allowing for natural surveillance of the surface parking area from the public street. There is not a practical difficulty in complying with the ordinance and the circumstance has been created by the applicant.

- 2. The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.**

The purpose of regulating fencing is to promote the public health, safety and welfare, encourage an aesthetic environment and allow for privacy while maintaining access to light and air. As mentioned above, reducing the fence height along a public street and in a required front yard strikes this balance of allowing privacy while maintaining access to light and air and allowing natural surveillance of the parking area. Increasing the height of a fence in this location would not be in keeping with the spirit and intent of the ordinance.

- 3. The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.**

Crime prevention through environmental design standards suggest that a fence in compliance with the ordinance promotes pedestrian safety by the elimination of visual barriers along sidewalks and streets. Tall fences and walls along pedestrian routes reduce a person's physical safety and sense of wellbeing because they diminish the perceived value of the public realm. The surrounding area is comprised primarily of residential uses and university facilities across 15<sup>th</sup> Avenue Southeast. The majority of front yards along 7<sup>th</sup> Street Southeast are open and free of fences; the proposed variance could alter the character of this area and may affect the safety of those utilizing the property or nearby properties.

### **SITE PLAN REVIEW**

#### **Findings as Required by the Minneapolis Zoning Code for the Site Plan Review:**

- 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 the 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.

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- 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.
- 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.

*Conformance with above requirements:*

- The minimum front yard requirement adjacent to 15<sup>th</sup> Avenue Southeast is 15 feet. The minimum front yard requirement adjacent to 7<sup>th</sup> Street Southeast is also 15 feet. The building wall will be set

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back 15 feet two inches from the front lot line along 15<sup>th</sup> Avenue Southeast but will have front porches that project into the required yard. A variance has been requested. The building will be setback 10 or more feet from the front lot line along 7<sup>th</sup> Street Southeast and will have an open front porch that projects three feet further into the required yard. A variance is requested to reduce the front yard setback from 15 feet to seven feet along 7<sup>th</sup> Street Southeast.

- The areas between the building and the adjacent streets will be landscaped.
- Principal entrances will face both adjacent streets.
- The accessory surface parking area will be located to the side or rear of the building. A 12 foot landscaped yard and screening will be provided between the parking area and 7<sup>th</sup> Street Southeast.
- The building will include recesses and projections and other architectural elements, such as windows, balconies and varying roof lines, to divide the building into smaller identifiable sections.
- There will not be any blank, uninterrupted walls that do not include windows, entries, recesses or projections or other architectural elements that exceed 25 feet in length.
- The primary exterior materials will be durable and include cement board lap siding, stucco or stucco panel siding, cement board shingles, glass, and stone veneer. Asphalt shingles will be used as the roofing material. Please note, exterior material changes at a later date will require review by the Planning Commission and an amendment to the site plan review. The proposed distribution of materials for each exterior elevation is as follows:

	<u>Front Elevation</u> (15 <sup>th</sup> Ave)	<u>Side/Rear Elevation</u> (West)	<u>Side Elevation</u> (south)	<u>Front Elevation</u> (7 <sup>th</sup> St)
Stucco or Stucco Panel Siding	45%	28%	0%	33%
Cement Board Lap Siding	27%	40%	75%	38%
Cement Board Shingles	6%	10%	0%	0%
Natural Stone Veneer	7%	9%	10%	16%
Glass	15%	12%	15%	13%

The distribution, quality and quantity of the proposed exterior materials are not consistent with the comprehensive plan and small area plan policies that call for high quality design in residential development. The small area plan specifically calls for using brick, stucco, stone, and decorative masonry as high quality primary materials. Cement board lap siding will be the primary exterior material covering approximately 41 percent of the total façade area. If stucco panel, rather than stucco, is used that will cover another 30 percent of the total façade area. Although stone and/or stone veneer is proposed as an exterior material, it would only be used as an accent covering nine percent of the total façade area. Approximately 14 percent of the total façade area will be glass. Example images of building designs supported by the small area plan show a more balanced distribution of materials. To ensure consistency with the adopted policies and the site plan review standards, staff is recommending a condition of approval that limits the amount of cement board (panel or lap) to not more than 30 percent coverage on any single exterior elevation and distributes all materials more or less evenly between all of the facades.

- All sides of the building will be similar to and compatible with each other. The south elevation, as proposed, will not incorporate any stucco or stucco panel siding. In addition to the recommendation to require more stone or brick on the building exterior, staff is recommending that the Planning

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Commission require the applicant to distribute these materials more or less evenly between all of the facades.

- Plain face concrete block will not be used as a primary exterior building material on a wall fronting a street.
- The principal entrances will be flanked by windows and sheltered to emphasize their importance.
- The first floor walls facing 7<sup>th</sup> Street Southeast, 15<sup>th</sup> Avenue Southeast and the wall facing the on-site parking area are subject to a 20 percent window requirement. Measured between 2 and 10 feet above the adjacent grade, twenty percent of the walls are required to be windows. The amount of windows proposed on these walls is as follows:
  - 15<sup>th</sup> Avenue Southeast: 13.2%
  - 7<sup>th</sup> Street Southeast: 13%
  - Rear/side wall facing parking: 11.7%

Windows on these levels will be vertical in proportion and distributed in a more or less even manner. Alternative compliance is requested for the amount of windows proposed on the first floor wall on all three elevations.

- Each wall above the first floor facing 7<sup>th</sup> Street Southeast, 15<sup>th</sup> Avenue Southeast and the wall facing the on-site parking area are subject to the 10 percent window requirement. The amount of windows proposed on these walls is as follows:
  - 15<sup>th</sup> Avenue Southeast, Floor 2: 11%
  - 15<sup>th</sup> Avenue Southeast, Floor 3: 12.8%
  - 15<sup>th</sup> Avenue Southeast, Floor 4: 13.1%
  - 7<sup>th</sup> Street Southeast, Floor 2: 13%
  - 7<sup>th</sup> Street Southeast, Floor 3: 10.8%
  - 7<sup>th</sup> Street Southeast, Floor 3: 10.8%
  - Rear/side wall facing parking, Floor 2: 9.1%
  - Rear/side wall facing parking, Floor 3: 12.8%
  - Rear/side wall facing parking, Floor 4: 13.1%

Windows on these levels will be vertical in proportion and distributed in a more or less even manner. Alternative compliance is requested for the amount of windows proposed on the second floor wall facing the parking area.

- More than 70 percent of the linear frontage of each of the ground floor building walls facing 15<sup>th</sup> Avenue Southeast and 7<sup>th</sup> Street Southeast will accommodate spaces with active functions.
- A pitched roof is proposed on the building. The buildings in the immediate area have various roof forms and pitches but are primarily pitched. The form and pitch of the proposed roof is similar to the buildings with pitched 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.

***Conformance with above requirements:***

- A well-lit walkway four feet in width will connect the 15<sup>th</sup> Avenue Southeast and 7<sup>th</sup> Street Southeast public sidewalk to a main entrance.

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- Transit shelters are not proposed as part of the development.
- Vehicle access will be through an expanded curb cut on 7<sup>th</sup> Street Southeast. An existing curb cut along 15<sup>th</sup> Avenue Southeast will be closed as part of this development. These changes will improve the area in terms of the effect on pedestrian traffic and surrounding residential properties.
- The site is not adjacent to a public alley.
- The proposal includes a significant surface parking area to the rear or side of the building. In an effort to minimize the amount of impervious surface on site and provide usable open space for residents, the applicant has opted to reduce the parking area and request a variance to reduce the required parking and to allow more compact stalls. These variance requests have allowed for increased green space on the site. The total amount of impervious surface area will be 74 percent of the lot; the maximum impervious surface area allowed on site in this zoning district is 85 percent. In addition, the applicant has proposed using pervious pavers where appropriate. The amount of impervious surface is not excessive.

**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.**

***Conformance with above requirements:***

- The zoning code requires that a least 20 percent of the site not occupied by buildings be landscaped. The lot area of the site is approximately 13,807 square feet. The building footprint will be approximately 4,080 square feet. The lot area minus the building footprint therefore consists of approximately 9,727 square feet. At least 20 percent of the net site area (1945.4 square

feet) must be landscaped. Approximately 3,587 square feet of the site will be landscaped. That is equal to 36.8 percent of the net lot area.

- The zoning code requires at least one canopy tree be planted for each 500 square feet of required green space and at least one shrub be planted for each 100 square feet of required green space. The tree and shrub requirement for this site is 4 and 19 respectively. Four canopy trees and 40 shrubs are proposed on-site.
- The accessory surface parking area will have frontage along 7<sup>th</sup> Street Southeast. A landscaped yard of at least 7 feet wide must be provided along the public street or sidewalk. The applicant is providing a 12 foot wide landscaped area adjacent to the public sidewalk along 7<sup>th</sup> Street Southeast.
- The accessory surface parking area abuts residential uses along the south and west property lines. A landscaped yard of at least 7 feet wide must be provided. The applicant is providing an approximately 23 foot wide landscaped area between the south property line and the parking area. The applicant is providing a 2.5 foot wide landscaped area with grass and an irrigation drip line between the west property line and the parking area. Alternative compliance is requested.
- Screening three feet in height and not less than 60 percent opaque is required along the public street or sidewalk. The applicant is proposing a six foot tall iron fence with brick columns with Variegated Hostas and Chicagoland Boxwoods planted in front in the landscape area along 7<sup>th</sup> Street Southeast. A fence in a required front yard cannot exceed three feet in height unless the fence is open and decorative, and then it can be increased to four feet in height. The applicant has proposed a six foot tall fence adjacent to 7<sup>th</sup> Street Southeast. A variance has been requested; however, staff is recommending that the variance be denied and that the height of the fence does not exceed a height of three feet, or four feet if open and decorative.
- Screening six feet in height and at least ninety-five (95) percent opaque shall be provided for parking areas abutting or across an alley from a residence or office residence district, or any permitted or conditional residential use. The applicant is proposing a six foot tall solid wood fence along the west and south property lines to screen the parking area. As a condition of approval, any portion of the fence that extends into a required front yard must be reduced to not more than three feet in height.
- In parking lots of 10 spaces or more, no parking space shall be located more than 50 feet from the center of an on-site deciduous tree. All of proposed parking spaces will be located within 50 feet from the center of an on-site deciduous tree.
- The remainder of the landscaped area will be covered with ornamental trees, perennials, sod, and wood mulch. The overall location of landscaped areas will be dispersed throughout the site.

#### **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.**

***Conformance with above requirements:***

- The parking area will include continuous concrete curbing. The driveway will be graded to drain out the curb cut.
- The proposed building will not impede views of important elements of the city.
- To the extent practical, the building will be located and arranged to minimize shadowing on public spaces and adjacent properties.
- The building is designed with recesses and projections to minimize the generation of wind currents at the ground level.
- The development includes some environmental design elements to prevent crime. Windows will be provided on all sides of the building. Entrances will be illuminated and additional pedestrian scaled lighting is proposed along the perimeter of the site. Sidewalks will lead to the ground floor entrances. The main entrances will be emphasized with architectural details and walkways. Staff is recommending that the fence along 7<sup>th</sup> Street Southeast be reduced to allow for natural surveillance.
- The existing structures are not locally designated. The applicant obtained a Historic Review Letter from CPED. It was determined that the existing structures are not a historic resource that may be eligible for local historic designation.

**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 site is zoned R5 with the UA Overlay District. A multiple family dwelling with five or more units is a permitted use in the R5 district.

**Parking and Loading:**

*Minimum automobile parking requirement:* Generally, the minimum parking requirement is one space per unit. In the UA overlay district, 0.5 spaces per bedroom, but not less than one space per dwelling unit, is required. In this case, there are 12 dwelling units and 38 bedrooms so the requirement is 19 parking spaces. The site qualifies for a ten percent reduction in parking because it is located within three hundred (300) feet of a transit stop with midday service headways of thirty (30) minutes or less in each direction. The reduced parking requirement for the use is 17 stalls. The applicant is providing 16 parking stalls and has requested a variance accordingly. Not more than 25 percent of the required spaces can be compact spaces. The applicant has proposed nine compact spaces or 53 percent of the total spaces required. A variance has been requested.

*Maximum automobile parking requirement:* The maximum parking requirement for dwellings with unenclosed parking cannot exceed two (2) vehicles per dwelling unit, excluding those parked within an enclosed structure. Therefore, the maximum number of unenclosed parking spaces on this zoning lot is 24; 16 parking stalls will be provided.

*Bicycle parking requirement:* In general, the minimum bicycle parking requirement is equal to one space per two dwelling units. In the UA overlay district, one bicycle or one scooter parking space is required per bedroom. Not less than 90 percent of the required bicycle parking spaces must meet the standards for long term parking. All required bicycle parking spaces must be accessible without

moving another bicycle and its placement shall not result in a bicycle obstructing a required walkway. Bicycle racks shall be installed to the manufacturer's specifications, including the minimum recommended distance from other structures. In addition, required long-term bicycle parking spaces must 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. In the UA overlay district, the required spaces also cannot be located in any required yard or between the principal building and the public street. The total minimum requirement is 38 spaces, of which at least 34 must meet the long-term parking requirements. The applicant will provide 38 long-term bicycle spaces and additional short-term bicycle spaces will be provided adjacent to the surface parking area.

*Loading requirement:* A loading space is not required for multi-family dwellings with less than 100 units. No on-site loading space is proposed.

*Access:* Vehicle access will be through an expanded 22-foot wide curb cut on 7<sup>th</sup> Street Southeast. The existing curb cut on 15<sup>th</sup> Avenue Southeast will be removed.

**Proposed Lot Area:** The proposed lot area is 13,807 square feet (.32 acres).

**Maximum Floor Area:** The maximum floor area ratio (FAR) allowed in the R5 District is 2.0. The building will have a total of approximately 15,200 square feet, which is an FAR of approximately 1.1.

**Minimum Lot Area:** The minimum lot area requirement in the R5 district is 700 square feet per dwelling unit, or 8,400 square feet for 12 units.

**Dwelling Units per Acre:** The applicant proposes a density of 37.5 dwelling units per acre.

**Building Height:** The maximum height allowed in the R5 district is 4 stories or 56 feet, whichever is less. The height is determined by the vertical distance from the natural grade measured at a point 10 feet away from the front center of the building adjacent to 15<sup>th</sup> Avenue Southeast to the average distance between the eave edge and the ridge level for a gable roof. The proposed height is four stories and approximately 44 feet.

**Yard Requirements:**

*Front yard requirements:* The property is a reverse corner lot.<sup>1</sup> For a reverse corner lot, both lot lines that abut a street are considered front lot lines and a required front yard needs to be provided and maintained along each of the lot lines. In the R5 district, the minimum front yard requirement is 15 feet or the established setback of the adjacent residential structure, whichever is greater.

- *15<sup>th</sup> Avenue Southeast:* The dwelling located to the south is set back 15 feet two inches from the lot line adjacent to 15<sup>th</sup> Avenue Southeast; therefore, the minimum front yard required for the subject property is also 15 feet 2 inches. The building wall will be set back 15 feet two inches from the front lot line along 15<sup>th</sup> Avenue Southeast but will have front porches that project into the required yard. A variance has been requested to reduce the front yard requirement from 15 feet to

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<sup>1</sup> The zoning code defines a reverse corner lot as “A corner lot that includes more than one (1) lot line adjacent to streets of which one (1) lot line is substantially a continuation of the front lot line of the adjacent property to the rear.”

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11 feet along 15<sup>th</sup> Avenue Southeast. Eave overhangs extending not more than three feet into the yard and walkways up to six feet in width are permitted obstructions.

- *7<sup>th</sup> Street Southeast:* The dwelling located to the west is set back less than 15 feet from the lot line adjacent to 7<sup>th</sup> Street Southeast; therefore, the minimum front yard required for the subject property is the district requirement of 15 feet. The building will be setback 10 or more feet from the front lot line along 7<sup>th</sup> Street Southeast and will have an open front porch that projects three feet further into the required yard. A variance has been requested to reduce the front yard setback from 15 feet to seven feet along 7<sup>th</sup> Street Southeast. Eave overhangs extending not more than three feet into the yard are permitted obstructions.

*Interior side yard requirements:* Multiple-family dwellings in the R5 district have a minimum side yard setback requirement of 5+2X, where x is the number of stories above the first floor. The required side yard setback for the proposed four story building along the south interior side property line is 11 feet. The proposed building wall will be setback nine feet from this property line. A variance has been requested. The surface parking area is proposed to be located 2.5 feet from the west interior side property line. The parking area is subject to a five foot setback from this property line. A variance has been requested. Driveways leading to properly located parking areas and eave overhangs extending not more than two feet into the yard are permitted obstructions.

**Lot Coverage:** The maximum lot coverage allowed in the R5 district is 70 percent. For the proposed site, 9,664.9 square feet of coverage is allowed. The proposed footprint is approximately 4,080 square feet, which will cover 29 percent of the site.

**Impervious Surface Coverage:** The maximum impervious surface coverage allowed in the R5 district is 85 percent. For the proposed site, 11,736 square feet of coverage is allowed. The proposed amount of impervious surface is approximately 3,587 square feet, which covers 63.2 percent of the site.

**Specific Development Standards:** Not applicable for multiple-family dwellings with 5 or more units located in the UA overlay district.

**Signs:** Signs are subject to the requirements of Chapter 543 of the Zoning Code. In the R5 District, a multiple-family dwelling on a lot between 10,000 and 43,559 square feet can have one nonilluminated, flat wall identification sign not exceeding thirty-two square feet with a maximum height of fourteen feet or top of the wall, whichever is less. On a corner lot, two (2) such signs per building are allowed. The applicant has indicated that no signage is proposed. Any new signage will require Zoning Office review, approval, and permits.

**Refuse Screening:** Refuse and recycling storage containers are required to be enclosed on all four sides by screening compatible with the principal structure not less than two 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. The refuse and recycling storage containers will be located underneath the proposed trellis and will be enclosed on all four sides.

**Screening of Mechanical Equipment:** All mechanical equipment is required to be arranged so as to minimize visual impact by using screening and must comply with Chapter 535 and district requirements including:

**535.70. Screening of mechanical equipment.** (a) *In general.* All mechanical equipment installed on or adjacent to structures shall be arranged so as to minimize visual impact using one (1) of the following methods. All screening shall be kept in good repair and in a proper state of maintenance.

- (1) *Screened by another structure.* Mechanical equipment installed on or adjacent to a structure may be screened by a fence, wall or similar structure. Such screening structure shall comply with the following standards:
  - a. The required screening shall be permanently attached to the structure or the ground and shall conform to all applicable building code requirements.
  - b. The required screening shall be constructed with materials that are architecturally compatible with the structure.
  - c. Off-premise advertising signs and billboards shall not be considered required screening.
- (2) *Screened by vegetation.* Mechanical equipment installed adjacent to the structure served may be screened by hedges, bushes or similar vegetation.
- (3) *Screened by the structure it serves.* Mechanical equipment on or adjacent to a structure may be screened by a parapet or wall of sufficient height, built as an integral part of the structure.
- (4) *Designed as an integral part of the structure.* If screening is impractical, mechanical equipment may be designed so that it is balanced and integrated with respect to the design of the building.

**Lighting:** Lighting must comply with Chapter 535 and Chapter 541 of the zoning code including:

**535.590. Lighting.** (a) *In general.* No use or structure shall be operated or occupied as to create light or glare in such an amount or to such a degree or intensity as to constitute a hazardous condition, or as to unreasonably interfere with the use and enjoyment of property by any person of normal sensitivities, or otherwise as to create a public nuisance.

(b) *Specific standards.* All uses shall comply with the following standards except as otherwise provided in this section:

- (1) Lighting fixtures shall be effectively arranged so as not to directly or indirectly cause illumination or glare in excess of one-half (1/2) footcandle measured at the closest property line of any permitted or conditional residential use, and five (5) footcandles measured at the street curb line or nonresidential property line nearest the light source.
- (2) Lighting fixtures shall not exceed two thousand (2,000) lumens (equivalent to a one hundred fifty (150) watt incandescent bulb) unless of a cutoff type that shields the light source from an observer at the closest property line of any permitted or conditional residential use.
- (3) Lighting shall not create a sensation of brightness that is substantially greater than ambient lighting conditions as to cause annoyance, discomfort or decreased visual performance or visibility to a person of normal sensitivities when viewed from any permitted or conditional residential use.
- (4) Lighting shall not create a hazard for vehicular or pedestrian traffic.

- (5) Lighting of building facades or roofs shall be located, aimed and shielded so that light is directed only onto the facade or roof.

### **MINNEAPOLIS PLAN**

In the *Minneapolis Plan for Sustainable Growth*, the future land use designation for this site is urban neighborhood and it is located on a designated Community Corridor (15<sup>th</sup> Avenue Southeast). Community Corridors support medium density (20-50 du/acre), transitioning to low density in surrounding areas. The University of Minnesota is designated as a Growth Center. High to very high density can be supported within Growth Centers. The following policies of the Comprehensive Plan apply to this project and this site:

**Land Use Policy 1.3:** Ensure that development plans incorporate appropriate transportation access and facilities, particularly for bicycle, pedestrian, and transit.

- 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.
- 1.3.2 Ensure the provision of high quality transit, bicycle, and pedestrian access to and within designated land use features.

**Land Use Policy 1.2:** Ensure appropriate transitions between uses with different size, scale, and intensity.

- 1.2.1 Promote quality design in new development, as well as building orientation, scale, massing, buffering, and setbacks that are appropriate with the context of the surrounding area.

**Land Use Policy 1.8:** 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.

- 1.8.1 Promote a range of housing types and residential densities, with highest density development concentrated in and along appropriate land use features

**Land Use Policy 1.9:** Through attention to the mix and intensity of land uses and transit service, the City will support development along Community Corridors that enhances residential livability and pedestrian access.

- 1.9.4 Discourage the conversion of existing residential uses to commercial uses outside of Neighborhood Commercial Nodes.
- 1.9.5 Encourage the development of low- to medium-density housing on Community Corridors to serve as a transition to surrounding low-density residential areas.
- 1.9.6 Promote more intensive residential development along Community Corridors near intersections with Neighborhood Commercial Nodes and other locations where it is compatible with existing character.

**Land Use Policy 1.15:** Support development of Growth Centers as locations for concentration of jobs and housing, and supporting services.

- 1.15.3 Encourage the development of high- to very high-density housing within Growth Centers

**Housing Policy 3.1:** Grow by increasing the supply of housing.

- 3.1.1 Support the development of new medium- and high-density housing in appropriate locations throughout the city.

**Housing Policy 3.2:** Support housing density in locations that are well connected by transit, and are close to commercial, cultural and natural amenities.

- 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:** Support the development of residential dwellings that are of high quality design and compatible with surrounding development.

- 10.4.1 Maintain and strengthen the architectural character of the city's various residential neighborhoods.
- 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 10.5:** Support the development of multi-family residential dwellings of appropriate form and scale.

- 10.5.2 Medium-scale, multi-family residential development is more appropriate along Commercial Corridors, Activity Centers, Transit Station Areas and Growth Centers outside of Downtown Minneapolis.

**Urban Design Policy 10.6:** 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.

- 10.6.1 Design buildings to fulfill light, privacy, and view requirements for the subject building as well as for adjacent properties by building within required setbacks.
- 10.6.4 Orient buildings and building entrances to the street with pedestrian amenities like wider sidewalks and green spaces.
- 10.6.5 Street-level building walls should include an adequate distribution of windows and architectural features in order to create visual interest at the pedestrian level.
- 10.6.6 Integrate transit facilities and bicycle parking amenities into the site design.

**Urban Design Policy 10.16:** Design streets and sidewalks to ensure safety, pedestrian comfort and aesthetic appeal.

- 10.16.2 Provide streetscape amenities, including street furniture, trees, and landscaping, that buffer pedestrians from auto traffic, parking areas, and winter elements.
- 10.16.3 Integrate placement of street furniture and fixtures, including landscaping and lighting,

to serve a function and not obstruct pedestrian pathways and pedestrian flows.

- 10.16.4 Employ pedestrian-friendly features along streets, including street trees and landscaped boulevards that add interest and beauty while also managing storm water, appropriate lane widths, raised intersections, and high-visibility crosswalks.

*Staff comment:* A multi-family building with twelve dwelling units is consistent with the above policies of the Comprehensive Plan. The density proposed is appropriate for this site.

### **SMALL AREA PLANS**

The site is also located within the boundaries of the *Marcy-Holmes Master Plan* Adopted by the City Council in 2003. The *Master Plan for Marcy Holmes Neighborhood* recommends multi-family residential development in this area with a height of four to six stories. Since the master plan was adopted, the neighborhood has done additional planning work regarding specific redevelopment sites, including guidance specific to the subject site along 15<sup>th</sup> Avenue Southeast. Building on guidance in both of these for 15<sup>th</sup> Avenue Southeast, Marcy Holmes completed a second supplement to the neighborhood master plan, the *15th Avenue SE Urban Design Plan*.

The following design guidelines from the small area plan and design guidelines apply to this development:

#### **Site Design:**

- Place buildings to preserve cohesive street character
- Place landscaped parking lots behind buildings
- Surface parking is discouraged. If surface parking cannot be avoided, it should be located in the center of the block so that all streets have building frontage, not parking frontage.
- Parking should not be accessed from 15<sup>th</sup> Avenue SE. Access from side streets is preferred.

*Staff comment:* Although the parking area will front 7<sup>th</sup> Street Southeast, the site plan is designed with a 12 foot deep landscaped area between the parking lot and the street and sufficient screening to minimize impacts.

#### **Landscaping**

- Use a combination of shrubs, perennials, and overstory and ornamental trees
- Include open space within building complexes
- Encourage indoor/outdoor living
- Accentuate, rather than screen, buildings

#### **Building Materials**

- Use high quality primary materials: brick, stucco, stone, decorative masonry
- Include complementary accent materials: stone, metal, glass, brick

#### **Rooflines**

- Use varied rooflines, especially on long buildings
- Step back or accent rooflines to create visual interest

#### **Ground Level Treatment**

- Place buildings close to pedestrian ways

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- Accentuate entries and ground floor with complementary design
- Use ramps, stairs, and other grade separation techniques to distinguish between public and private space

**Building Massing**

- Buildings should not appear as high-rise structures
- Long building facades should be broken up with green spaces, balconies, parking courts, pathways, or changes in material and design

**Public Realm**

- Increase the sidewalk width from five to eight feet to provide a more generous walking area.
- Add a four-foot vegetation strip to mark the transition between public and private space.
- Require new buildings to have raised patios that add activity and open space adjacent to the promenade.
- Require balconies and occupiable step-back decks that provide additional open space along the promenade.

**In the plan, the following is strongly discouraged in the design guidelines:**

- Blank first floors caused by an under-building parking garage.
- Long, straight, unembellished facades.
- Front yard setbacks that are unusable by the tenants.
- Inadequate number of windows.
- Lack of landscaping – particularly gravel instead of living vegetation.

*Staff comment:* The proposed development is consistent with the above policies and guidelines, except those related to exterior materials and landscaping. The distribution, quality and quantity of the proposed exterior materials are not consistent with the policies that call for high quality design in residential development. The small area plan specifically calls for using brick, stucco, stone, and decorative masonry as high quality primary materials. Cement board lap siding will be the primary exterior material covering approximately 41 percent of the total façade area. Although stone and/or stone veneer is proposed as an exterior material, it would only be used as an accent covering nine percent of the total façade area. Example images of building designs supported by the small area plan show a more balanced distribution of materials. To ensure consistency with the adopted policies and the site plan review standards, staff is recommending a condition of approval that limits the amount of cement board (panel or lap) to not more than 30 percent coverage on any single exterior elevation and distributes all materials more or less evenly between all of the facades.

**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.

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- **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:

Minimum window requirements

Alternative compliance is requested for the amount of windows proposed on the first floor wall on all three elevations and on the second floor wall on the rear/west elevation. To comply with the window requirement, an additional 47 square feet of windows would need to be provided on the 15<sup>th</sup> Avenue Southeast first floor elevation, an additional 28 square feet of window would need to be added on the 7<sup>th</sup> Street Southeast first floor elevation, an additional 58 square feet of window would need to be added on the first floor wall on the elevation facing the parking area and an additional eight square feet of window would need to be added on the second floor wall facing the parking area. Please note that windows in doors do not count towards meeting the minimum window requirements and only ½ of the area is counted in patio doors.

The building is designed with multiple entrances to accommodate walk up units and open front porches, accessed through patio doors, for the main level units. Having multiple front porches and entrances is supported by the adopted policy for this area. In addition, on all elevations most floors exceed the minimum window requirement. Staff is recommending that the Planning Commission grant alternative compliance on the 15<sup>th</sup> Avenue Southeast (front) first floor elevation, the 7<sup>th</sup> Street Southeast 1<sup>st</sup> floor elevation and the second floor wall facing the parking area. Staff further recommends that the Planning Commission grant alternative compliance to the minimum window requirement on the 1<sup>st</sup> floor wall facing the parking area with the addition of 27 square feet of additional window area. This will allow for three additional windows sized and space consistently with the other elevations.

Landscaped yard

Alternative compliance is requested for the width of the landscaped yard along the west property line. The applicant is providing a 2.5 foot wide landscaped area with grass and an irrigation drip line between the west property line and the parking area. This reduction is needed to accommodate the parking area and additional green space south of the parking area. Staff is recommending that the Planning Commission grant alternative compliance to the width of this landscaped yard.

**RECOMMENDATIONS**

**Recommendation of the Department of Community Planning and Economic Development for the Variance:**

The Department of Community Planning and Economic Development recommends that the City Planning Commission **approve** the variance to reduce the front yard setback along 15<sup>th</sup> Avenue Southeast from 15 feet to 11 feet and along 7<sup>th</sup> Street Southeast from 15 feet to 7 feet for the building and open front porches for the property located at 621-629 15<sup>th</sup> Avenue Southeast and 1416 7<sup>th</sup> Street Southeast, subject to the following conditions:

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1. Egress window wells located in the required yards shall not exceed 16 square feet in area.

**Recommendation of the Department of Community Planning and Economic Development for the Variance:**

The Department of Community Planning and Economic Development recommends that the City Planning Commission **approve** the variance to reduce the interior side yard setback along the south property line from 11 feet to 9 feet for the building for the property located at 621-629 15<sup>th</sup> Avenue Southeast and 1416 7<sup>th</sup> Street Southeast, subject to the following conditions:

1. Egress window wells located in the required yard shall not exceed 16 square feet in area.

**Recommendation of the Department of Community Planning and Economic Development for the Variance:**

The Department of Community Planning and Economic Development recommends that the City Planning Commission **approve** the variance to reduce the interior side yard setback along the west property line from 5 feet to 2.5 feet for the accessory parking area for the property located at 621-629 15<sup>th</sup> Avenue Southeast and 1416 7<sup>th</sup> Street Southeast.

**Recommendation of the Department of Community Planning and Economic Development for the Variance:**

The Department of Community Planning and Economic Development recommends that the City Planning Commission **approve** the variance to reduce the minimum parking requirement from 17 to 16 spaces for the property located at 621-629 15<sup>th</sup> Avenue Southeast and 1416 7<sup>th</sup> Street Southeast.

**Recommendation of the Department of Community Planning and Economic Development for the Variance:**

The Department of Community Planning and Economic Development recommends that the City Planning Commission **approve** the variance to increase the percentage of required parking spaces that may be satisfied by providing compact spaces from 25 percent to approximately 53 percent for the property located at 621-629 15<sup>th</sup> Avenue Southeast and 1416 7<sup>th</sup> Street Southeast.

**Recommendation of the Department of Community Planning and Economic Development for the Variance:**

The Department of Community Planning and Economic Development recommends that the City Planning Commission **deny** the variance to increase the height of the fence along 7<sup>th</sup> Street Southeast in the required front yard from 3 feet to 6 feet for the property located at 621-629 15<sup>th</sup> Avenue Southeast and 1416 7<sup>th</sup> Street Southeast.

**Recommendation of the Department of Community Planning and Economic Development for the Site Plan Review:**

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the application for site plan review for a

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new multiple-family dwelling with 12 units for the property located at 621-629 15<sup>th</sup> Avenue Southeast and 1416 7<sup>th</sup> Street Southeast, subject to the following conditions:

1. A minimum of 108 square feet of windows shall be provided on the first floor wall of the elevation facing the parking area.
2. Cement board siding (panel or lap) shall not exceed more than 30 percent coverage on any single exterior elevation of the proposed building and all materials shall be distributed more or less evenly between all of the facades.
3. Fences located in the required front yard shall not exceed three (3) feet in height, or four (4) feet in height if constructed of open, decorative, ornamental fencing materials that are less than sixty (60) percent opaque. Fences located in the required interior side yard shall not exceed six (6) feet in height.
4. Landscaped areas not covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs, trees or edible landscaping shall be covered with wood mulch or other similar materials. Rock mulch shall not be used.
5. Department of Community Planning and Economic Development – Planning Division staff review and approval of the final elevations, floor, site, lighting and landscape plans.
6. Site improvements required by Chapter 530 or by the City Planning Commission shall be completed by January 22, 2015, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

**Attachments:**

- 1) PDR report
- 2) Applicant's statement of proposed use and responses to findings
- 3) Correspondence
- 4) Zoning map
- 5) Plans
- 6) Photos