Department of Community Planning and Economic Development (CPED)
Rezoning, Conditional Use Permit, Variance, Site Plan Review, Preliminary Plat and Alley Vacation
BZZ-5968, PL-275 and Vac-1613

Date: April 8, 2013

Applicant: John Errigo with Aeon

Address of Property: 501 and 515 East 19th Street, 1900, 1906, 1908, 1914, 1920 and 1928 Portland Avenue, 1919, 1921, 1923 and 1925 5th Avenue South and 500 and 510 East Franklin Avenue

Project Name: South Quarter

Contact Person and Phone: John Errigo with Aeon, (612) 746-0528

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

Date Application Deemed Complete: March 15, 2013

End of 60-Day Decision Period: May 14, 2013

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

Ward: 6 **Neighborhood Organization:** Ventura Village Neighborhood Organization

Existing Zoning: R6, Multiple-family District, C1, Neighborhood Commercial District and NP North Phillips Overlay District

Proposed Zoning: R6, Multiple-family District and NP North Phillips Overlay District

Zoning Plate Number: 20

Legal Descriptions for 1920 and 1928 Portland Avenue, 1923 and 1925 5th Avenue South and 500 and 510 East Franklin Avenue: Lots 1, 2, 3 and 4, Block 1, A.M. Jerome's Addition to Minneapolis, the S 1/2 of Lot 14, Block 1, A.M. Jerome's Addition to Minneapolis, the N 40 feet of Lot 15, Block 1, A.M. Jerome's Addition to Minneapolis, the W 103 feet of Lot 16 and the S 10 feet of Lot 15, Block 1, A.M. Jerome's Addition to Minneapolis and the E 25 feet of Lot 16 and the S 10 feet of Lot 15, Block 1, A.M. Jerome's Addition to Minneapolis.

Proposed Use: Phase Four of the Franklin-Portland Planned Unit Development which includes 90 additional dwelling units in two new buildings.

Concurrent Review:
Rezoning: of the properties located at 1920 and 1928 Portland Avenue, 1923 and 1925 5th Avenue South and 500 and 510 East Franklin Avenue from the C1, Neighborhood Commercial District to the R6, Multiple-family District.

Conditional use permit: for Phase Four of the Franklin-Portland Planned Unit Development which includes 90 dwelling units in two new buildings.
Variance: to increase the fence height in the required front yard along both Portland Avenue and 5th Avenue South from the permitted four feet to eight feet.
Site plan review: for an approximately 148,000 square foot residential development.
Vacation (Vac 1613): of the public alley located on the block bounded by East Franklin Avenue, 5th Avenue South, East 19th Street and Portland Avenue.
Preliminary plat (PL-275).

Applicable zoning code provisions: Chapter 525, Article VI, Zoning Amendments, Chapter 525, Article VII, Conditional Use Permits, Chapter 525, Article IX, Variances, specifically Section 525.520(5) "to permit an increase in the maximum height of a fence", Chapter 527, Planned Unit Development, Chapter 530, Site Plan Review and Chapter 598, Land Subdivision Regulations.

Background: Aeon, the applicant, is proposing to redevelop the northwest corner of the Franklin Avenue and Portland Avenue intersection in south Minneapolis. The other three corners of the intersection have been redeveloped over the past decade by the applicant and other development partners. The entire development, known as the Franklin-Portland Gateway, has been and will be reviewed as a Planned Unit Development (PUD). Children's Village Center, Phase One of the multi-phased project, was approved by the City Planning Commission in April of 2002. The Jourdain, Phase Two of the multi-phased project, was approved by the City Planning Commission in May of 2003. And The Wellstone, Phase Three of the multi-phased project, was approved by the City Planning Commission in July of 2007. All three of the developments have been constructed and are now occupied. The Franklin-Portland Gateway was always proposed to be developed as one cohesive project even though the individual phases have been funded and constructed at different times. Once Phase Four is completed, the Gateway will contain approximately 250 dwelling units and approximately 23,100 square feet of both office and commercial space.

Phase One: Children's Village Center is a mixed-use building consisting of both office and residential uses. This building is located on the southeast corner of the intersection of Franklin Avenue and Portland Avenue. The building contains 30 dwelling units and approximately 12,000 square feet of office space.

Hope Community Court was also constructed as part of Phase One. This development is located on the northwest corner of the intersection of Oakland Avenue and East 22nd Street. The development contains 10 dwelling units.

The rehabilitation of the existing Pine Cliff Apartment building was also part of Phase One. This building is located on the southeast corner of the intersection of 5th Avenue South and East 19th Street. The building contains 30 dwelling units.

Phase Two: The Jourdain is a mixed-use building consisting of both commercial and residential uses. This building is located on the southwest corner of the intersection of Franklin Avenue and Portland Avenue. The building contains 41 dwelling units and approximately 4,000 square feet of commercial space.

Phase Three: The Wellstone is a mixed-use building consisting of both commercial and residential uses. This building is located on the northeast corner of the intersection of Franklin Avenue and Portland Avenue. The building contains 49 dwelling units and approximately 7,100 square feet of commercial and/or community space.

Phase Four: South Quarter is a purely residential development. This development is located on the northwest corner of the intersection of Franklin Avenue and Portland Avenue. The development will contain 90 dwelling units.

The fourth phase, known as the South Quarter development, occupies the entire block. The Pine Cliff Apartment building is located on the northwest corner of the block and will remain in place after the new construction is complete. There are a total of 30 dwelling units in that building. The proposed development will have 90 additional dwelling units in two buildings with ground floor amenity space including a fitness center and a business center. There will also be a leasing office in the building.

There will be two new buildings constructed on the site with one shared level of underground parking. The space between the buildings will be used as an outdoor recreation area and an on-site food production area is planned at the northeast corner of the block. There will also be a surface parking lot provided between the existing Pine Cliff Apartment building and the on-site food production area. This parking is being provided for the residents of the Pine Cliff Apartments.

Travel Demand Management Plan (TDMP): A TDMP was completed for all four phases of the PUD in 2007 when Phase Three was reviewed. At the time, Phase Four included 86 apartments and seven townhouses. The findings of the TDMP concluded that the surrounding intersections would operate at acceptable levels and that there was sufficient parking even with the additional development in Phase Four. In 2012, an update to the approved TDMP was done which analyzed: changes to the on-street parking layout along 5th Avenue South, converting 5th Avenue South, between East 19th Street and Franklin Avenue, to a two-way street and updated the trip generation numbers to reflect the new unit count of Phase Four (90 dwelling units). The findings from the approved TDMP remained unchanged as the unit count in Phase Four decreased. It was also decided that the on street parking layout along 5th Avenue South would not be changed and that 5th Avenue South, between East 19th Street and Franklin Avenue, would not be converted to a two-way street. One remaining issue that needs to be resolved now that Phase Four is being reviewed is whether or not on-street parking should remain on both sides of East 19th Street between Franklin Avenue and 5th Avenue South. The applicant has been asked to evaluate this and make a recommendation to the Public Works Department for discussion purposes.

Neighborhood Comments: No correspondence from the Ventura Village Neighborhood Organization has been received. Written comments from area residents are included in this report. Staff will forward additional comments, if any are received, at the City Planning Commission meeting.

REZONING – of the properties located at 1920 and 1928 Portland Avenue, 1923 and 1925 5th Avenue South and 500 and 510 East Franklin Avenue from the C1, Neighborhood Commercial District to the R6, Multiple-family District

Findings as Required by the Minneapolis Zoning Code:

1. Whether the amendment is consistent with the applicable policies of the comprehensive plan.

According to *The Minneapolis Plan for Sustainable Growth*, the subject properties to be rezoned are designated as mixed use. The properties are adjacent to Franklin Avenue which is a designated Commercial Corridor. According to the principles and polices outlined in *The Minneapolis Plan for Sustainable Growth*, the following apply to this proposal:

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 1.2 states: "Ensure appropriate transitions between uses with different size, scale, and intensity." This policy includes the following applicable implementation step: (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 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."

Land Use Policy 1.10 states: "Support development along Commercial Corridors that enhances the street's character, fosters pedestrian movement, expands the range of goods and services available, and improves the ability to accommodate automobile traffic." This policy includes the following applicable implementation steps: 1.10.1 "Support a mix of uses – such as retail sales, office, institutional, high-density residential and clean low-impact light industrial – where compatible with the existing and desired character" and (1.10.5) "Encourage the development of high-density housing on Commercial Corridors."

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."

In addition, *The Minneapolis Plan for Sustainable Growth* says that the mixed use future land use designation allows for mixed-use development, including mixed use with residential. Mixed use may include either a mix of retail, office or residential uses within a building or within a district. There is no requirement that every building be mixed use. The proposal to rezone the subject properties from the C1 district to the R6 district for a new residential development is supported by the above listed policies and implementation steps of *The Minneapolis Plan for Sustainable Growth.* The proposed development will provide 52 dwelling units per acre which falls within the high density range (50 to 120 dwelling units per acre) of *The Minneapolis Plan for Sustainable Growth.*

2. Whether the amendment is in the public interest and is not solely for the interest of a single property owner.

The amendment will allow the applicant to construct a high-density residential development on the site. Policies within *The Minneapolis Plan for Sustainable Growth* support constructing high-density housing in this area.

3. Whether the existing uses of property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification, where the amendment is to change the zoning classification of particular property.

The majority of the properties on the block are zoned R6 but there are six properties on the southern portion of the block that are zoned C1. Rezoning the C1 properties to the R6 zoning district will bring the entire development site under one zoning classification. Uses in the surrounding area are primarily residential of varying densities, a church and some small scale commercial and office uses. Zoning classifications of other properties in the area include R4, OR2, OR3 and C1. Rezoning the six properties from the C1 zoning district to the R6 zoning district will be compatible with the surrounding area.

4. Whether there are reasonable uses of the property in question permitted under the existing zoning classification, where the amendment is to change the zoning classification of particular property.

In general, there are reasonable uses allowed under the C1 zoning classification but rezoning the C1 properties to the R6 zoning district would bring the entire development site under one zoning classification. The City's adopted policies encourage a high-density residential development on the property. CPED staff has included an attachment to the staff report which further details the differences between the existing and proposed zoning classification for the property.

5. Whether there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its present zoning classification, where the amendment is to change the zoning classification of particular property.

Under the 1963 Zoning Code, the residential properties on the development site were zoned R6 and the commercial properties were zoned B3S-2, Community Service District and B3C-1, Community Commercial District. When the properties were rezoned in 1999 as part of a comprehensive rezoning study, the residential properties remained in the same zoning classification and the commercial

properties were rezoned to a new but equivalent commercial zoning classification. There have been several medium- to high-density housing developments constructed in the area in the last decade or so. Due to the fact that the majority of the development site is zoned R6 as well as the fact that the trend of development in the area has been medium- to high-density housing, the rezoning request is reasonable, appropriate and consistent with adopted policy.

CONDITIONAL USE PERMIT - for Phase Four of the Franklin-Portland Planned Unit Development which includes 90 dwelling units in two new buildings

Findings as Required by the Minneapolis Zoning Code:

The Community Planning and Economic Development Department 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 establishment of Phase Four of the Franklin-Portland Planned Unit Development which includes 90 additional dwelling units in two new buildings will not be detrimental to or endanger the public health, safety, comfort or general welfare. Redevelopment of the site will transform the last vacant corner at the intersection of Franklin Avenue and Portland Avenue. The other three corners of the intersection have been redeveloped over the past decade by the applicant and other development partners. Surrounding uses include a mixture of residential developments of varying densities, a church and some small scale commercial and office uses. The proposed development will complement the existing uses in the area.

2. The conditional use will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.

The establishment of Phase Four of the Franklin-Portland Planned Unit Development which includes 90 additional dwelling units in two new buildings will not be injurious to the use and enjoyment of other property in the vicinity or impede the normal or orderly development and improvement of surrounding property. Redevelopment of the site will transform the last vacant corner at the intersection of Franklin Avenue and Portland Avenue. As a result of the development additional boulevard trees will be planted along Portland, Franklin and 5th Avenues and East 19th Street, decorative street lights will replace existing standard overhead street lights, community garden space will be established and an abundance of green space and plant materials will be added to the site.

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

The applicant will be working closely with CPED, the Public Works 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.

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

In the R6 zoning district, the zoning code requires a minimum of 1.0 parking space per dwelling unit. There will be 90 new dwelling units in two buildings with one shared level of underground parking. There will be a total of 90 parking spaces provided in the underground garage. The existing Pine Cliff Apartments contains a total of 30 dwelling units. Once the construction is complete there will be a new surface parking lot located to the east side of the building with 29 parking spaces in it. Of the 29 spaces one space will be dedicated for a shared vehicle leaving 28 spaces available for the residents. The site is located within 300 feet of a transit stop with midday service headways of 30 minutes or less in each direction. Given this the development qualifies for a ten percent transit reduction. In total, 120 parking spaces are required for the development and 118 spaces will be provided for the residents. The transit reduction reduces the parking requirement by 12 spaces or to 108 parking spaces.

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

The development site is located on the northwest corner of the Franklin Avenue and Portland Avenue intersection in south Minneapolis. The properties are adjacent to Franklin Avenue which is a designated Commercial Corridor in *The Minneapolis Plan for Sustainable Growth*. The future land use map in *The Minneapolis Plan for Sustainable Growth* designates the property as both Mixed Use and Urban Neighborhood. According to the principles and polices outlined in *The Minneapolis Plan for Sustainable Growth,* the following apply to this proposal:

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."

Land Use Policy 1.10 states: "Support development along Commercial Corridors that enhances the street's character, fosters pedestrian movement, expands the range of goods and services available, and improves the ability to accommodate automobile traffic." This policy includes the following applicable implementation steps: 1.10.1 "Support a mix of uses – such as retail sales, office, institutional, high-density residential and clean low-impact light industrial – where compatible with the existing and desired character" and (1.10.5) "Encourage the development of high-density housing on Commercial Corridors."

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."

In addition, *The Minneapolis Plan for Sustainable Growth* says that the mixed use future land use designation allows for mixed-use development, including mixed use with residential. Mixed use may include either a mix of retail, office or residential uses within a building or within a district. There is no requirement that every building be mixed use. A new residential development is supported by the above listed policies and implementation steps of *The Minneapolis Plan for Sustainable Growth.* The proposed development will provide 52 dwelling units per acre which falls within the high density range (50 to 120 dwelling units per acre) of *The Minneapolis Plan for Sustainable Growth.*

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

With the approval of the rezoning, conditional use permit, variance, site plan review, plat and alley vacation this development will meet the applicable regulations of the R6, Multiple-family District.

Findings Required for Planned Unit Developments:

A. The planned unit development conforms to the applicable standards for alternatives and amenities (see section A below for evaluation).

B. Additional uses (see section B below for evaluation).

C. The planned unit development conforms to the required findings for a planned unit development (see section C below for evaluation).

Section A: Authorized Alternatives and Amenities Provided

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

Alternatives requested:

- **Placement and number of principal residential structures:** The proposed development will have 90 additional dwelling units located in two new buildings constructed on the site with one shared level of underground parking. The applicant is proposing to provide five points worth of amenities to allow two buildings on the site.

- **Bulk regulations:**

  Maximum Floor Area: No alternative requested.

  Building Height: No alternative requested.

- **Lot area requirements:** No alternative requested.

- **Yards:** The front yard setback requirement along Portland and 5th Avenues is 15 feet and the corner side yard setback requirement along East 19th Street and Franklin Avenue is 14 feet. The interior side yard setback requirement for the proposed buildings is 11 feet and the interior side yard setback requirement for the existing building is nine feet. The existing building is located nine feet from 5th Avenue South, 15 feet from East 19th Street, 75 feet from the east interior property line and 15 feet 9 inches from the south interior property line. The reduced front yard setback along 5th Avenue South is an existing condition of the site. The proposed buildings are located 14 feet 8 inches from Portland Avenue, 18 feet from Franklin Avenue, 14 feet from 5th Avenue South, between 27 and 37 feet from the north interior property line and 185 feet from East 19th Street. In addition, there are decks, balconies, walkways, stairways and mechanical equipment located in both required front yards and the corner side yard along Franklin Avenue. The applicant is proposing to provide five points worth of amenities to allow a reduction in the required yards.

- **On-premise signs:** Signs are subject to the requirements of Chapter 543, On-Premise Signs. In the R6 zoning district, on a lot greater than 43,560 square feet, a building can have one wall identification sign not exceeding 48 square feet with a maximum height of 14 feet or top of wall, whichever is less. On a corner lot, two such signs per building are permitted. In addition, one freestanding ground sign not exceeding 32 square feet in area and eight feet in height is also permitted. Either the wall sign or the monument sign, but not both, may be illuminated. The applicant is proposing to have a total of four signs on the site; two on each building. Two of the signs are located over the main entry canopies. Both of these signs meet the dimensional standards required by the zoning code as they are each less than two square feet in size and located less than 14 feet above grade. The other two signs are wall signs that identify the address of each building. Both of these signs are 40 square feet in size and are located 31 feet and 35 feet above grade. The applicant is proposing five points worth of amenities to allow two wall signs that exceed the maximum height limitation.

- **Off-street parking and loading:**

  Parking: No alternative requested.

Loading: The loading requirement for a multiple-family development with 100 to 250 dwelling units is one small loading space. There is no on-site loading area proposed on the site. The applicant is proposing to provide five points worth of amenities in lieu of an on-site loading space on the site.

Points required:

- Placement and number of principal residential structures – **5 points.**
- Yard, periphery **– 5 points.**
- On-premise signs – **5 points**
- Off-street loading – **5 points.**
- **Total – <u>20 points</u>.**

Amenities provided: Staff has analyzed the proposal and identified 37 points worth of amenities as described below.

<u>Table 527-1 Amenities</u>
The applicant proposes the following amenities from Table 527-1, Amenities:

Leadership in Energy and Environmental Design (LEED) - **The proposed development shall meet the minimum standards for LEED Silver certification. The project does not have to achieve actual LEED certification; however, the developer must submit the LEED checklist and documentation to the city, approved by a LEED Accredited Professional (LEED-AP) that shows that the project will comply with LEED Silver requirements.** The applicant has indicated that the development will qualify for LEED Silver certification. The applicant will be required to submit the LEED checklist and documentation, approved by a LEED Accredited Professional (LEED-AP) that shows that the project will comply with LEED Silver requirements prior to building permits being issued. This provision is worth <u>10 points</u>.

Garden(s) or on-site food production – The required standards for garden(s) or on-site food production are:

- **Permanent and viable growing space and/or facilities such as a greenhouse or a garden conservatory at a minimum of sixty (60) square feet per dwelling unit to a maximum required area of five thousand (5,000) square feet, which provide fencing, watering systems, soil, secured storage space for tools, solar access, and pedestrian access as applicable.** For 120 dwelling units the required amount of growing space is 5,000 square feet. The applicant is proposing 5,090 square feet of growing space on the site. The area will be enclosed with a fence that is primarily four feet in height although there will be sections of the fence that will be eight feet in height that will allow food producing vines to grow up them. The area will have access to water and there will be a secure storage shed provided for tools. The area is located on the northeast corner of the site and the proposed buildings have been designed to provide for maximum solar access for the growing area. The area is accessible via a walking path from both the interior of the development site as well as the public sidewalk along Portland Avenue.
- **The facility shall be designed to be architecturally compatible with the development and to minimize the visibility of mechanical equipment.** The fence that is proposed around the perimeter of the growing space will be architecturally compatible with the rest of the development site as a similar fence will be used in other areas throughout the grounds and incorporated into the deck and

balcony railings. The fence will constructed around the growing space, the secure storage shed and the water access points.

This provision is worth 5 points.

Outdoor open space – The required standards for outdoor open space are:

- **Contiguous ground level outdoor open space that is related to and proportional with the bulk of the building and landscaped with trees and shrubs.** Large areas of contiguous open space are proposed around the site. A courtyard with a series of "rooms" will be located between the two proposed buildings, an open yard will be located towards the northeast corner of the site and the perimeter of the buildings will be surrounded by open space.
- **Rain gardens, where appropriate, are encouraged.** Three rain gardens are proposed on the site. Two are located between the buildings and the property line along Portland Avenue and one of them is located in one of the rooms of the courtyard.
- **Walkways and pathways shall be surfaced with pervious pavers, pervious concrete, decorative pavers, stamped concrete, colored concrete, brick or other decorative and durable materials.** The applicant is proposing a variety of walkway and pathway surfacing materials including concrete, brick pavers, flagstone pavers and tree stump steppers.
- **A minimum of thirty (30) percent of the site not occupied by buildings shall be landscaped outdoor open space. A minimum of fifty (50) percent of the provided open space shall be contiguous.** The applicant has indicated that approximately 58 percent of the site not occupied by the buildings will be landscaped. Of this amount, 32 percent will be landscaped outdoor open space. More than 50 percent of the required open space will be contiguous.
- **The open space must be immediately accessible from the principal structure.** The open space will be immediately accessible from the buildings on the site.
- **Areas should be designed for winter use and relate 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.** The courtyard that is located between the buildings will be protected from weather elements by the buildings themselves as well as proposed fencing on the east and west sides.This provision is worth 5 points.

Outdoor children's play area - The required standards for an outdoor children's play area are:

- **An active, outdoor children's play area with a minimum of fifty (50) square feet for each unit containing three (3) or more bedrooms but not less than five hundred (500) square feet of play area to a maximum required area of five thousand (5,000) square feet.** There will be a total of 17 three-bedroom units in the development which requires a minimum of 850 square feet of outdoor children's play area. The applicant has indicated that there will be 3,177 square feet of outdoor children's play area provided on the site. Of this, a 1,327 square foot area will be provided between the two new buildings and an additional 1,850 square feet will be provided on the existing Pine Cliff Apartments site.
- **The play area shall be secure, shall be separated from parking and maneuvering areas, and shall be designed to facilitate adult supervision.** Both of the play areas will be enclosed with fencing and will allow for adult supervision.
- **The play area shall include play equipment, installed to the manufacturer's specifications, or natural features suitable for children in both preschool and elementary school.** The play area on the Pine Cliff Apartments site includes existing structured play equipment. The new play area will include natural features such as rolling lawns and tree stump steppers.

- **Play equipment shall not be located in a required yard and not more than twenty five (25) percent of the required square footage of the play area may be located in a required yard.** Neither of the play areas are located in a required yard.
- **Play areas should be designed for winter use and relate 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.** The new play area that is located between the buildings will be protected from weather elements by the buildings themselves as well as proposed fencing on the east and west sides. The existing play area is located on the south side of the existing building and will be screened on the west and south sides by fencing and landscaping.

This provision is worth 5 points.

Reflective roof – **Utilize roofing materials for seventy five (75) percent 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 (USGBC) for low-sloped and steep-sloped roofs.** The applicant has indicated that a minimum of 75 percent of the total roof surface will be reflective. This provision is worth 3 points.

Decorative fencing – The required standards for decorative fencing are:

- **Install high-quality decorative metal fencing where visible from the public street, public sidewalk or public pathway.** Decorative metal fencing will be installed around the perimeter of the on-site food production area, along the northern edge of the driveway leading to the underground garage, on the east and west sides of the outdoor courtyard between the two new buildings and around the mechanical equipment located on the west side of the building. The proposed railings around the decks and balconies will be similar in design to the proposed decorative fencing.
- **The point for decorative fencing may be obtained when it is included as part of another amenity if it is also provided in other areas on the site.**
- **In no case shall chain-link fencing be considered decorative fencing.** There is existing vinyl coated chain link fencing located around the children's play area on the Pine Cliff Apartments site. This fencing runs along the east and south sides of the play area. Once the remainder of the site is developed and the landscape materials are installed this fencing will not be visible from the public streets.

This provision is worth 1 point.

Enhanced landscaping – The required standards for enhanced landscaping are:

- **A landscaping plan of exceptional design that has a variety of native tree, shrub, and plant types that provide seasonal interest and that exceed the requirements of Chapter 530, Site Plan Review.** Chapter 530, Site Plan Review requires that 20 percent of the site not occupied by the building be landscaped. It also requires that at least one canopy tree for each 500 square feet of required green space and at least one shrub for each 100 square feet of required green space be planted on the site. The required amount of landscaping for the site is 11,566 square feet and the tree and shrub requirement is 23 and 115 respectfully. The applicant is proposing a total of 33,465 square feet of landcaping on the site, 31 canopy trees and 451 shrubs. In addition there will be 26 ornamental trees, 21 evergreen trees and 2,747 perennials on the site. The applicant is also proposing 19 canopy trees in the right-of-way adjacent to East 19th Street and Portland, Franklin and 5th Avenues. There will be 15 different varieties of trees, eight different varieties of shrubs and 14

different varieties of perennials provided on the site. The proposed plant materials will provide seasonal interest.

- **The landscaped areas shall have a resource efficient irrigation system.** A resource efficient irrigation system including drip irrigation and rain sensors will be provided.
- **The landscaping plan shall be prepared by a licensed landscape architect.** The landscape plan has been prepared by a licensed architect.

This provision is worth 1 point.

Enhanced stormwater management – The required standards for enhanced stormwater management are:

- **Provide capacity for infiltrating stormwater generated onsite with artful rain garden design that serves as a visible amenity.** Three rain gardens are proposed on the site. Two are located between the buildings and the property line along Portland Avenue and one of them is located in one of the rooms of the courtyard.
- **Rain garden designs shall be visually compatible with the form and function of the space and shall include for long-term maintenance of the design.** The rain gardens will be planted with a variety of plant materials.
- **The design shall conform to requirements of the stormwater management plan approved by public works.** The City of Minneapolis will review and approve the applicant's stormwater management plan.

This provision is worth 1 point.

Heater drives or sidewalks - **Heated drives or sidewalks that are designed to provide snow and ice free surfaces.** The driveway leading to the underground parking garage will be heated. This provision is worth 1 point.

Amenities proposed by the applicant

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

New bus shelter on Franklin Avenue - The applicant has designed a bus shelter to architecturally match the proposed development. The bus shelter will be located in the public right-of-way along Franklin Avenue where there is a current bus stop. The bus shelter will be paid for, installed and maintained by the applicant. The applicant is requesting 5 points for this amenity.

Points Summary

Amenity		**Points Requested by Applicant**	**Points Recommended by Staff**
Amenities from Table 527-1	Leadership in Energy and Environmental Design (LEED)	10	10
	Garden(s) or on-site food production	5	5
	Outdoor open space	5	5
	Outdoor children's play area	5	5
	Reflective roof	3	3
	Decorative fencing	1	1

	Enhanced landscaping	1	1
	Enhanced stormwater management	1	1
	Heated drives or sidewalks	1	
Amenities proposed by the applicant	New bus shelter on Franklin Avenue	5	5
Total		**37**	**37**

Phasing plan – The South Quarter development is the fourth phase of a multi-phased development known as the Franklin-Portland Gateway project. South Quarter is located on the northwest corner of the Franklin Avenue and Portland Avenue intersection in south Minneapolis. The other three corners of the intersection have been redeveloped over the past decade by the applicant and other development partners.

Section B: Additional Uses

- **In general. The city planning commission may authorize additional uses in the zoning district in which the planned unit development is located as provided below and subject to section 527.210. An amenity is not required in order to allow an additional use.**
- **Residence and OR1 Districts. The city planning commission may authorize additional residential uses, small neighborhood serving retail sales and services uses as allowed in the OR2 and OR3 Districts, child care centers, offices and clinics within a planned unit development located in the Residence and OR1 Districts. The additional small neighborhood serving retail sales and services uses as allowed in the OR2 and OR3 Districts, child care centers, offices and clinics shall not exceed two thousand (2,000) square feet per use, unless otherwise allowed by the zoning district in which the use is located.**
- **OR2 and OR3 Districts. The city planning commission may authorize additional residential uses and retail sales and services uses as allowed in the C1 District within planned unit developments located in the OR2 and OR3 Districts. Notwithstanding section 547.30(f)(2) and (3), the city planning commission may authorize retail sales and services uses greater than two thousand (2,000) square feet, but not to exceed four thousand (4,000) square feet per use. The city planning commission may allow more than two (2) such retail sales and services uses per zoning lot.**

Additional uses are not proposed.

Section C: Conformance with Required Planned Unit Development Findings

In addition to the conditional use permit standards contained in Chapter 525, Administration and Enforcement, before approval of a planned unit development the city planning commission also shall find:

1. **That the planned unit development complies with all of the requirements and the intent and purpose of this chapter. In making such determination, the following shall be given primary consideration:**

a. The character of the uses in the proposed planned unit development, including in the case of residential uses, the variety of housing types and their relationship to other site elements and to surrounding development.

The proposed development will have 90 additional dwelling units in two buildings with ground floor amenity space including a fitness center and a business center. There will also be a leasing office in the building. The mix of units includes studio, one, two and three-bedrooms. Uses in the surrounding area are primarily residential of varying densities, a church and some small scale commercial and office uses. The proposed development will complement the existing uses in the area.

b. The traffic generation characteristics of the proposed planned unit development in relation to street capacity, provision of vehicle access, parking and loading areas, pedestrian access, bicycle facilities and availability of transit alternatives.

A TDMP was completed for all four phases of the PUD in 2007 when Phase Three was reviewed. At the time, Phase Four included 86 apartments and seven townhouses. The findings of the TDMP concluded that the surrounding intersections would operate at acceptable levels and that there was sufficient parking even with the additional development in Phase Four. In 2012, an update to the approved TDMP was done which analyzed: changes to the on-street parking layout along 5th Avenue South, converting 5th Avenue South, between East 19th Street and Franklin Avenue, to a two-way street and updated the trip generation numbers to reflect the new unit count of Phase Four (90 dwelling units). The findings from the approved TDMP remained unchanged as the unit count in Phase Four decreased. It was also decided that the on street parking layout along 5th Avenue South would not be changed and that 5th Avenue South, between East 19th Street and Franklin Avenue, would not be converted to a two-way street. One remaining issue that needs to be resolved now that Phase Four is being reviewed is whether or not on-street parking should remain on both sides of East 19th Street between Franklin Avenue and 5th Avenue South. The applicant has been asked to evaluate this and make a recommendation to the Public Works Department for discussion purposes.

In the R6 zoning district, the zoning code requires a minimum of 1.0 parking space per dwelling unit. There will be 90 new dwelling units in two buildings with one shared level of underground parking. There will be a total of 90 parking spaces provided in the underground garage which will be accessed off of 5th Avenue South. The existing Pine Cliff Apartments contains a total of 30 dwelling units. Once the construction is complete there will be a new surface parking lot located to the east side of the building with 29 parking spaces in it. Of the 29 spaces one space will be dedicated for a shared vehicle leaving 28 spaces available for the residents. This parking area will be accessed off of East 19th Street. In total, 120 parking spaces are required for the development and 118 spaces will be provided for the residents. The site is located within 300 feet of a transit stop with midday service headways of 30 minutes or less in each direction. Given this the development qualifies for a ten percent transit reduction. The transit reduction reduces the parking requirement by 12 spaces or to 108 parking spaces. The loading requirement for a multiple-family development with 100 to

250 dwelling units is one small loading space. There is no on-site loading area proposed on the site.

The bicycle parking requirement for a multiple-family development is one space per two dwelling units. Existing buildings have grandfathered rights from the bicycle parking requirements. Given this, the bicycle parking requirement for the proposed development is 45 spaces. The applicant has indicated that there will be 45 bicycle parking spaces provided in the enclosed parking garage and an additional 16 bicycle parking spaces provided on the site for guests. There is also a Nice Ride bike sharing station located across Portland Avenue from the development site.

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

The site amenities include Leadership in Energy and Environmental Design (LEED), garden(s) or on-site food production, outdoor open space, outdoor children's play area, reflective roof, decorative fencing, enhanced landscaping, enhanced stormwater management, heated drives or sidewalks and a new bus shelter on Franklin Avenue.

d. The appearance and compatibility of individual buildings and parking areas in the proposed planned unit development to other site elements and to surrounding development, including but not limited to building scale and massing, microclimate effects of the development, and protection of views and corridors.

The development includes the construction of two new four-story buildings. The buildings are oriented east-west with a shared courtyard located between them. In the courtyard there will be a series of "rooms" for the residents to use including children's play spaces. These outdoor rooms will be protected from weather elements by the buildings themselves as well as proposed fencing on the east and west sides. On the northeast corner of the block there will be an on-site food production area and on the northwest corner of the block is the existing Pine Cliff Apartment building. In between the building and the food production area there will be a surface parking lot for the residents of the Pine Cliff Apartments. Given the parking lot's location it will be screened from the surrounding public streets.

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 development occupies the entire block. The applicant has designed the site so that the proposed development is setback approximately 45 feet from the existing Pine Cliff Apartments. In the space between the buildings there will be a driveway which provides access to the underground parking garage for the new development, a walkway that connects the public sidewalk along 5th Avenue South to Portland Avenue and landscaping.

f. The relation of the proposed planned unit development to existing and proposed public facilities, including but not limited to provision for stormwater runoff and storage, and temporary and permanent erosion control.

The applicant will be working closely with CPED, the Public Works 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.

The construction company that the applicant will employ to build the development will contract with a waste removal company that has off site sorting and recycling operations.

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

Please refer to the preliminary and final plat section of this staff report.

VARIANCE - To increase the fence height in the required front yard along both Portland Avenue and 5th Avenue South from the permitted four feet to eight feet

Findings as Required by the Minneapolis Zoning Code for the Variance:

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.

Increase fence height: The applicant is seeking a variance to increase the height of the fence located in the required front yard along both Portland Avenue and 5th Avenue South from the permitted four feet to eight feet. The proposed fence along Portland Avenue will be located around the perimeter of the on-site food production area. The fence will be primarily four feet in height although there will be sections of the fence that will be eight feet in height that will allow food producing vines to grow up them. The proposed fence along 5th Avenue South will be located around the perimeter of the mechanical equipment that will be located on the west side of the building. Both of the fences will be made of decorative metal.

The applicant has indicated that the taller fencing around the on-site food production area is needed for certain types of vine producing foods that flourish from the additional growth that can be accomplished at eight feet. And the taller fencing around the mechanical equipment is being proposed in order to fully screen the equipment from people on the public right-of-way. The applicant has indicated that they did

investigate using a smaller generator that would require a shorter fence but found that it would not adequately serve the building.

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.

Increase fence height: The applicant is proposing 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. Although both fences will be four feet taller than what is allowed they will be made out of decorative metal and will be less than 60 percent opaque. There will be four eight-foot high sections of fencing around the perimeter of the on-site food production area. Each of these sections will be nine feet long. In between the taller sections of fence there will be 24 feet of four-foot high fencing of a similar design. The interspersed sections of eight-foot tall fencing will not overpower those on the public sidewalk. The fencing located around the mechanical equipment will be 70 feet in length and located two-and-a-half feet back from the public sidewalk. CPED staff recommends that the area between the fence and the public sidewalk along 5th Avenue South be landscaped to help soften the fence's presence.

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.

Increase fence height: Granting of this variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. In addition, granting of the 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 applicant owns the entire development site so neither of the proposed fences will be located in the front yards of any adjacent uses. And in the case of the fence along 5th Avenue South there are no uses located across the street as Interstate 35W is located on the other side of the sound wall on the west side of the street.

SITE PLAN REVIEW

Findings as Required by the Minneapolis Zoning Code:

A. The site plan conforms to all applicable standards of Chapter 530, Site Plan Review. (See Section A Below for Evaluation.)

B. The site plan conforms to all applicable regulations of the zoning ordinance and is consistent with applicable policies of the comprehensive plan and applicable small area plans adopted by the city council. (See Section B Below for Evaluation.)

Section A: Conformance with Chapter 530 of Zoning Code

BUILDING PLACEMENT AND DESIGN:

- **Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.**
- **First floor of the building shall be located not more than eight (8) feet from the front lot line (except in C3S District or where a greater yard is required by the zoning ordinance). If located on corner lot, the building wall abutting each street shall be subject to this requirement.**
- **The area between the building and the lot line shall include amenities.**
- **The building shall be oriented so that at least one (1) principal entrance faces the public street. In the case of a corner lot, the principal entrance shall face the front lot line.**
- **Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.**
- **For new construction, the building walls shall provide architectural detail and shall contain windows as required by Chapter 530 in order to create visual interest and to increase security of adjacent outdoor spaces by maximizing natural surveillance and visibility.**
- **In larger buildings, architectural elements, including recesses or projections, windows and entries, shall be emphasized to divide the building into smaller identifiable sections.**
- **Blank, uninterrupted walls that do not include windows, entries, recesses or projections, or other architectural elements, shall not exceed twenty five (25) feet in length.**
- **Exterior materials shall be durable, including but not limited to masonry, brick, stone, stucco, wood, metal, and glass.**
- **The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.**
- **The use of plain face concrete block as an exterior material shall be prohibited fronting along a public street, public sidewalk, public pathway, or adjacent to a residence or office residence district.**
- **Entrances, windows, and active functions:**
  - **Residential uses:**
    - **Principal entrances shall be clearly defined and emphasized through the use of architectural features such as porches and roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Twenty (20) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:**
      a. Windows shall be vertical in proportion.
      b. Windows shall be distributed in a more or less even manner.

    Minimum window area at the first or ground level shall be measured between two (2) and ten (10) feet above the adjacent grade. Minimum window area on walls above the first floor shall be measured between the upper surface of a floor and the upper surface of the floor above.
  - **Nonresidential uses:**
    - **Principal entrances shall be clearly defined and emphasized through the use of architectural features such as roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Thirty (30) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a**

public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:

a. Windows shall be vertical in proportion.
b. Windows shall be distributed in a more or less even manner.
c. The bottom of any window used to satisfy the ground floor window requirement may not be more than four (4) feet above the adjacent grade.
d. First floor or ground floor windows shall have clear or lightly tinted glass with a visible light transmittance ratio of 0.6 or higher.
e. First floor or ground floor windows shall allow views into and out of the building at eye level. Shelving, mechanical equipment or other similar fixtures shall not block views into and out of the building in the area between four (4) and seven (7) feet above the adjacent grade. However, window area in excess of the minimum required area shall not be required to allow views into and out of the building.
f. Industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, may provide less than thirty (30) percent windows on the walls that face an on-site parking lot, provided the parking lot is not located between the building and a public street, public sidewalk or public pathway.
g. In multiple tenant buildings, each individual ground level tenant space that faces a public street, public sidewalk, public pathway, or on-site parking lot shall comply with the minimum window requirements of this section.

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

- **Ground floor active functions: Except for industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, the first floor or ground level of buildings shall be designed to accommodate active functions by ensuring that parking, loading, storage, or mechanical equipment rooms are limited to no more than thirty (30) percent of the linear building frontage along each wall facing a public street, public sidewalk, or public pathway.**
- **The form and pitch of roof lines shall be similar to surrounding buildings.**
- **Parking Garages: The exterior design shall ensure that sloped floors do not dominate the appearance of the walls and that vehicles are screened from view. In addition to compliance with minimum window requirements, principal and accessory parking garages shall comply with provisions requiring active functions on the ground floor. In the downtown districts, the more restrictive parking garage provisions of Chapter 549, Downtown Districts, shall apply.**

<u>CPED RESPONSE:</u>

- The buildings reinforce the street wall, facilitate pedestrian access and maximize natural surveillance. The buildings are set close to the front property lines, there are entrances and exits at street level that can be accessed by residents and guests and there are large windows, decks and balconies on all sides of the development that maximize the opportunities for people to observe adjacent spaces and the public sidewalks.
- The building walls fronting along East 19th Street and Portland, Franklin and 5th Avenues are required to be located within eight feet of the property line except where a greater yard is required by the zoning ordinance. The front yard setback requirement along Portland and 5th Avenues is 15 feet and the corner side yard setback requirement along East 19th Street and Franklin Avenue is 14 feet.

The proposed buildings are located 14 feet 8 inches from Portland Avenue, 18 feet from Franklin Avenue, 14 feet from 5th Avenue South and 185 feet from East 19th Street. Alternative compliance is needed for the increased setbacks along both East 19th Street and Franklin Avenue.

- The area in between the buildings and the front and corner side property lines will contain decks, balconies, walkways, stairways, landscaping, rain gardens and an on-site food production area.
- Each of the buildings has two principal entrances. The northerly building has a principal entrance facing East 19th Street and the southerly building has a principal entrance facing Franklin Avenue. Both of the buildings also have a principal entrance facing the interior courtyard. In addition, all but one of the ground floor units has an individual entrance. None of the principal entrances face a front property line. Alternative compliance is needed.
- All of the parking for the two new buildings will be located in an underground parking garage. The parking for the existing Pine Cliff Apartments will be located in a surface parking lot to the east of the building.
- The exterior materials of the structures include architectural concrete, tile, metal, Nichiha and glass. The sides and rears of the buildings are similar to and compatible with the fronts of the buildings.
- There are areas on the north elevation of the north building, the north and south elevations of the south building and the west elevation of both buildings that are over 25 feet in length and void of windows, entries, recesses or projections, or other architectural elements. Alternative compliance is needed.
- At least 20 percent of the walls on the first floor and at least 10 percent of the walls on the upper floors that face a public street, public sidewalk, public pathway or on-site parking lot shall be windows. The minimum window calculation for the first floor of the building is measured between two and ten feet above the adjacent grade. The project's compliance with these requirements is as follows:
  - Portland Avenue, north building: the percentage of windows on the first floor is 80 percent and the percentage of windows on the upper levels of the building exceeds 10 percent except the third floor which is eight percent. Alternative compliance is needed.
  - Portland Avenue, south building: the percentage of windows on the first floor is 80 percent and the percentage of windows on the upper levels of the building exceeds 10 percent.
  - Franklin Avenue: the percentage of windows on the first floor of the building is 30 percent and the percentage of windows on the upper levels of the building exceeds 10 percent.
  - 5th Avenue South, north building: the percentage of windows on the first floor is 13 percent and the percentage of windows on the upper levels of the building exceeds 10 percent except the third floor which is eight percent. Alternative compliance is needed.
  - 5th Avenue, south building: the percentage of windows on the first floor is 21 percent and the percentage of windows on the upper levels of the building exceeds 10 percent except the third floor which is nine percent. Alternative compliance is needed.
  - East 19th Street/on-site parking lot: the percentage of windows on the first floor of the building is 25 percent and the percentage of windows on the upper levels of the building exceeds 10 percent.
- The windows in the development are vertical in nature and are evenly distributed along the building walls.
- The entire building frontage along East 19th Street and Portland, Franklin and 5th Avenues contain active functions.
- The principal roof line of the buildings will be flat. In the neighborhood there is a mixture of pitched roofed and flat roofed buildings.

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.**

CPED RESPONSE:

- All of the entrances leading into the building are connected to the public sidewalk via a series of walkways that run through the site.
- The applicant has designed a bus shelter to architecturally match the proposed development. The bus shelter will be located in the public right-of-way along Franklin Avenue where there is a current bus stop. The bus shelter will be paid for, installed and maintained by the applicant.
- All of the parking for the two new buildings will be located in an underground parking garage which will be accessed off of 5th Avenue South. The parking for the existing Pine Cliff Apartments will be located in a surface parking lot to the east of the building. This parking area will be accessed off of East 19th Street.
- The applicant is proposing to vacate the public alley on the block as part of this development.
- The maximum impervious surface requirement in the R6 zoning district is 85 percent. According to the materials submitted by the applicant 68 percent of the development site will be impervious.

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.**

CPED RESPONSE:

- The zoning code requires that at least 20 percent of the site not occupied by the building be landscaped. The lot area of the site is 100,227 square feet. The footprint of the buildings is 42,396 square feet. When you subtract the footprint from the lot size the resulting number is 57,831 square feet. Twenty percent of this number is 11,566 square feet. According to the applicant's landscaping plan there is 33,465 square feet of landscaping on the site or approximately 58 percent of the site not occupied by the building.
- The zoning code requires at least 1 canopy tree for each 500 square feet of required green space and at least 1 shrub for each 100 square feet of required green space be planted on the site. The tree and shrub requirement is 23 and 115 respectfully. The applicant is proposing to have 31 canopy trees and 451 shrubs. In addition there will be 26 ornamental trees, 21 evergreen trees and 2,747 perennials on the site. The applicant is also proposing to plant 19 canopy trees in the right-of-way adjacent to East 19th Street and Portland, Franklin and 5th Avenues.
- The zoning code requires that a seven-foot wide landscaped yard be provided when a parking or loading facility is fronting along a public street, public sidewalk or public pathway. The parking lot for the existing Pine Cliff Apartments will be located along East 19th Street. The applicant is proposing to have a 15-foot deep landscaped yard between the property line and the parking lot.
- The zoning code requires screening that is three feet in height and not less than 60 percent opaque be provided when a parking or loading facility is fronting along a public street, public sidewalk or public pathway. The applicant is proposing to landscape the area between the property line and the parking lot with plant materials that will grow to a height of at least three feet and be not less than 60 percent opaque.
- Not less than one tree shall be provided for every 25 linear feet of parking lot frontage. The parking lot is 60 feet in width which requires three trees be planted along East 19th Street. The applicant is proposing to have two trees planted along East 19th Street. Alternative compliance is needed.
- In parking lots of 10 spaces or more, no parking space shall be located more than 50 feet from an on-site deciduous tree. All of the parking spaces will be located within 50 feet of an on-site deciduous tree.
- Tree islands in parking lots must have a minimum width of seven feet in any direction. There are no tree islands in the parking lot.

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.**

CPED RESPONSE:

- All of the parking for the two new buildings will be located in an underground parking garage. The parking for the existing Pine Cliff Apartments will be located in a surface parking lot to the east of the building. Stormwater runoff from the surface parking lot will be directed to an underground storage chamber.
- There are no important elements of the city near the site that will be obstructed by the proposed building.
- This building should have minimal shadowning effects on public spaces and adjacent properties.
- This development should have minimal wind effects on the surrounding area.
- The site plan complies with crime prevention design elements as there are walkways that direct people to the building entrances, there is series of internal walkways that connect all of the entrances to one another, there are large windows, decks and balconies on all sides of the buildings that maximize the opportunities for people to observe adjacent spaces and the public sidewalks and there are lights located near all of the pedestrian entrances and throughout the site.
- This site is neither historically designated nor located in a historic district.

Section B: Conformance with All Applicable Zoning Code Provisions and Consistency with the Comprehensive Plan and Applicable Small Area Plans Adopted by the City Council

ZONING CODE:

- **Use:** Planned Unit Developments require a conditional use permit in the R6 zoning district.

- **Off-Street Parking and Loading:**

Minimum automobile parking requirement: In the R6 zoning district, the zoning code requires a minimum of 1.0 parking space per dwelling unit. There will be 90 new dwelling units in two buildings with one shared level of underground parking. There will be a total of 90 parking spaces provided in the underground garage. The existing Pine Cliff Apartments contains a total of 30 dwelling units. Once the construction is complete there will be a new surface parking lot located to the east of the building with 29 parking spaces in it. Of the 29 spaces one space will be dedicated for a shared vehicle leaving 28 spaces available for the residents. The site is located within 300 feet of a transit stop with midday service headways of 30 minutes or less in each direction. Given this the development qualifies for a ten percent transit reduction. In total 120 parking spaces are required for the development and 118 spaces will be provided for the residents. The transit reduction reduces the parking requirement by 12 spaces or to 108 parking spaces.

Maximum automobile parking requirement: There is no maximum parking requirement for dwellings in the R6 zoning district.

Bicycle Parking: The bicycle parking requirement for a multiple-family development is one space per two dwelling units. Existing buildings have grandfathered rights from the bicycle parking requirements. Given this the bicycle parking requirement for the proposed development is 45 spaces. Not less than 90 percent of the required bicycle parking spaces shall meet the standards for long-term bicycle parking. Required long-term bicycle parking spaces shall be located in enclosed and secured or supervised areas providing protection from theft, vandalism and weather and shall be accessible to intended users. Required long-term bicycle parking for residential uses shall not be located within dwelling units or within deck or patio areas accessory to dwelling units. In total, 41 of the required bicycle parking spaces need to be enclosed. The applicant has indicated that there will be 45 bicycle parking spaces provided in the enclosed parking garage and an additional 16 bicycle parking spaces provided on the site for guests.

Loading: The loading requirement for a multiple-family development with 100 to 250 dwelling units is one small loading space. There is no on-site loading area proposed on the site. The applicant is proposing to provide five points worth of amenities in lieu of an on-site loading space on the site.

- **Maximum Floor Area:** The maximum FAR in the R6 zoning district is 3.0. The lot in question is 100,227 square feet in area. The applicant proposes a total of 175,161 square feet of gross floor area between the existing Pine Cliff Apartments and the new development, an FAR of 1.75.

- **Building Height:** Building height in the R6 zoning district is limited to six stories or 84 feet. The existing Pine Cliff Apartments is three stories or 33 feet and the proposed development will be four stories or 46 feet.

- **Minimum Lot Area:** The minimum lot area per dwelling unit in the R6 zoning district is 400 square feet. With a combined total of 120 dwelling units on a lot of 100,227 square feet, the applicant proposes 835 square feet of lot area per dwelling unit.

- **Dwelling Units per Acre:** The lot is 2.30 acres in size. The proposed development will provide 52 dwelling units per acre which falls within the high density range (50 to 120 dwelling units per acre) of *The Minneapolis Plan for Sustainable Growth.*

- **Yard Requirements:** The front yard setback requirement along Portland and 5th Avenues is 15 feet and the corner side yard setback requirement along East 19th Street and Franklin Avenue is 14 feet. The interior side yard setback requirement for the proposed buildings is 11 feet and the interior side yard setback requirement for the existing building is nine feet. The existing building is located nine feet from 5th Avenue South, 15 feet from East 19th Street, 75 feet from the east interior property line and 15 feet 9 inches from the south interior property line. The reduced front yard setback along 5th Avenue South is an existing condition of the site. The proposed buildings are located 14 feet 8 inches from Portland Avenue, 18 feet from Franklin Avenue, 14 feet from 5th Avenue South, between 27 and 37 feet from the north interior property line and 185 feet from East 19th Street. In addition, there are decks, balconies, walkways, stairways and mechanical equipment located in both required front yards and the corner side yard along Franklin Avenue. The applicant is proposing to provide five points worth of amenities to allow a reduction in the required yards.

- **Specific Development Standards:** The specific development standard for a planned unit development says that the development shall conform to the standards of Chapter 527, Planned Unit Development.

- **Signs:** Signs are subject to the requirements of Chapter 543, On-Premise Signs. In the R6 zoning district, on a lot greater than 43,560 square feet, a building can have one wall identification sign not exceeding 48 square feet with a maximum height of 14 feet or top of wall, whichever is less. On a corner lot, two such signs per building are permitted. In addition, one freestanding ground sign not exceeding 32 square feet in area and eight feet in height is also permitted. Either the wall sign or the monument sign, but not both, may be illuminated. The applicant is proposing to have a total of four signs on the site; two on each building. Two of the signs are located over the main entry canopies. Both of these signs meet the dimensional standards required by the zoning code as they are each less than two square feet in size and located less than 14 feet above grade. The other two signs are wall signs that identify the address of each building. Both of these signs are 40 square feet in size and are located 31 feet and 35 feet above grade. The applicant is proposing five points worth of amenities to allow two wall signs that exceed the maximum height limitation.

- **Refuse storage:** The trash and recycling storage area for the Pine Cliff Apartments will be located on the south end of the surface parking area. The area will be enclosed with a 7 foot 11 inch tall fence that will be made of metal mesh. Landscaping will be located on both the east and west sides of the enclosure which will further screen it from the public streets. The trash and recycling storage area for the proposed development will be located at the bottom of the driveway that leads to the underground parking garage. This area will be screened on all four sides and over the top.

- **Lighting:** A lighting plan showing footcandles was not submitted as part of the application materials. All lighting shall comply with Chapter 535, Regulations of General Applicability and Chapter 541, Off-Street Parking and Loading and CPED Staff shall review the details of the fixtures in the final review prior to permit issuance.

MINNEAPOLIS PLAN:

The development site is located on the northwest corner of the Franklin Avenue and Portland Avenue intersection in south Minneapolis. The properties are adjacent to Franklin Avenue which is a designated Commercial Corridor in *The Minneapolis Plan for Sustainable Growth*. The future land use map in *The Minneapolis Plan for Sustainable Growth* designates the property as both Mixed Use and Urban Neighborhood. According to the principles and polices outlined in *The Minneapolis Plan for Sustainable Growth*, the following apply to this proposal:

Urban Design Policy 10.4 states: "Support the development of residential dwellings that are of high quality design and compatible with surrounding development."

Urban Design Policy 10.5 states: "Support the development of multi-family residential dwellings of appropriate form and scale."

Urban Design Policy 10.6 states: "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." This policy includes the following applicable implementation steps: (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 require setbacks", (10.6.3) "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" and (10.6.6) "Integrate transit facilities and bicycle parking amenities into the site design."

Urban Design Policy 10.9 states: "Support urban design standards that emphasize traditional urban form with pedestrian scale design features at the street level in mixed-use and transit-oriented development." This policy includes the following applicable implementation steps: (10.9.2) "Promote building and site design that delineates between public and private spaces", (10.9.3) "Provide safe, accessible, convenient, and lighted access and way finding to transit stops and transit stations along the Primary Transit Network bus and rail corridors" and (10.9.4) "Coordinate site designs and public right-of-way improvements to provide adequate sidewalk space for pedestrian movement, street trees, landscaping, street furniture, sidewalk cafes and other elements of active pedestrian areas."

Urban Design Policy 10.14 states: "Encourage development that provides functional and attractive gathering spaces."

Urban Design Policy 10.17 states: "Provide sufficient lighting to reflect community character, provide a comfortable environment in a northern city and promote environmentally friendly lighting systems." This policy includes the following applicable implementation steps: (10.17.1) "Provide high-quality lighting fixture designs that are appropriate to street types and land use, and that provide pedestrian friendly illumination, but minimize glare and dark sky conditions, and other unnecessary light pollution" and (10.17.6) "Provide sufficient lighting for better way-finding and safe circulation within and around a development."

Urban Design Policy 10.18 states: "Reduce the visual impact of automobile parking facilities."

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

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.**

CPED RESPONSE:

- The building walls fronting along East 19th Street and Portland, Franklin and 5th Avenues are required to be located within eight feet of the property line except where a greater yard is required by the zoning ordinance. The front yard setback requirement along Portland and 5th Avenues is 15 feet and the corner side yard setback requirement along East 19th Street and Franklin Avenue is 14 feet. The proposed buildings are located 14 feet 8 inches from Portland Avenue, 18 feet from Franklin Avenue, 14 feet from 5th Avenue South and 185 feet from East 19th Street. Alternative compliance is needed for the increased setbacks along both East 19th Street and Franklin Avenue. CPED is recommending that the City Planning Commission grant alternative compliance as strict adherence to the requirements is impractical. The lot configuration would make for an awkward building shape if the building were to be built within eight feet of East 19th Street and, to accommodate a green boulevard and a public sidewalk along Franking Avenue, the building has been setback more than eight feet from the south property line.

- Each of the buildings has two principal entrances. The northerly building has a principal entrance facing East 19th Street and the southerly building has a principal entrance facing Franklin Avenue. Both of the buildings also have a principal entrance facing the interior courtyard. In addition, all but one of the ground floor units has an individual entrance facing one of the public streets or the interior of the site. None of the principal entrances face a front property line. Alternative compliance is needed. CPED is recommending that the City Planning Commission grant alternative compliance as 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. Although none of the principal entrances face Franklin Avenue the site has been designed with a grand walkway leading to the courtyard entrances and the first floors of the buildings facing Franklin Avenue have been designed to contain all of the ground floor amenity space including a fitness center, a business center and a

leasing office. Given these design features there will be a lot of activity at the street level along Franklin Avenue.

- There are areas on the north elevation of the north building, the north and south elevations of the south building and the west elevation of both buildings that are over 25 feet in length and void of windows, entries, recesses or projections, or other architectural elements. Alternative compliance is needed. CPED is recommending that the City Planning Commission grant alternative compliance as 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. The walls that are over 25 feet in length and blank range between 26 feet and 29 feet long. The colors of the Nichiha panels that will be used in these areas will be varied so the walls will have architectural interest.

- At least 20 percent of the walls on the first floor and at least 10 percent of the walls on the upper floors that face a public street, public sidewalk, public pathway or on-site parking lot shall be windows. The minimum window calculation for the first floor of the building is measured between two and ten feet above the adjacent grade. The third floor of the north building facing Portland Avenue contains eight percent windows, the first floor of the north building facing 5th Avenue South contains 13 percent windows, the third floor of the north building facing 5th Avenue South contains eight percent windows and the third floor of the south building facing 5th Avenue South contains nine percent windows. CPED is recommending that the City Planning Commission grant alternative compliance as 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. The site slopes downwards from Franklin Avenue to East 19th Street and from Portland Avenue to 5th Avenue South. To accommodate the grade change, the underground parking garage is partially exposed on the northwestern corner of the site. There are windows on the first floor of the north building facing 5th Avenue South, but they do not count towards the minimum required because they are located more than ten above grade. As for the other elevations of the buildings with walls that do not meet the minimum window requirement, the other floors of the building elevations exceed the minimum requirement therefore meeting the intent of the zoning code.

- Not less than one tree shall be provided for every 25 linear feet of parking lot frontage. The parking lot is 60 feet in width which requires three trees be planted along East 19th Street. The applicant is proposing to have two trees planted along East 19th Street. Alternative compliance is needed. CPED is recommending that the City Planning Commission grant alternative compliance as strict adherence to the requirements is impractical. The two trees that are proposed to be planted along East 19th Street are maple trees that need the provided space to grow. If a third tree was planted along East 19th Street it would need to be planted in the driveway leading into the parking lot which would not be practical

PRELIMINARY PLAT - PL-275

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 replat several lots into two new lots. Individual lots within PUD's are exempt from the public street frontage requirement of section 598.230 and the design requirements of sections 598.240 and 598.250. The subdivision is in conformance with the design requirements of the land subdivision regulations.

Section 598.260 Planned unit developments and cluster design, requires the design of a subdivision for a planned unit development or cluster development to implement the site plan as approved by the Planning Commission and shall include a deed restriction designating the following:

1. **The relationship between all common spaces and each individual lot (rights in the common spaces and proportionate ownership accruing to the individual lot).**

   The applicant will own all of the land so this provision is not necessary.

2. **Provision for access to each lot that does not have frontage on a public street.**

   Both of the lots will have frontage on a public street.

3. **A requirement that an owner's association be created. The duties and responsibilities of the owner's association shall include maintaining the elements of the cluster development as authorized under the zoning ordinance or other applicable regulations.**

   The applicant will own all of the land so the creation of an owner's association is not required.

4. **A provision that the taxes, special assessments, and other charges and fees that would normally be levied against the common spaces shall be levied against the individual lot occupied or to be occupied by buildings in direct proportion to the interest that is stated in the deed restriction and shall provide that such levies shall be a lein against the individual lots.**

   The applicant will own all of the land so this provision is not necessary.

5. **A requirement that any disposition of any of the common property situated within the cluster development shall not be made without the prior approval of the Planning Commission.**

   If an amendment is made to the PUD the proposed amendments shall be reviewed and approved by the City Planning Commission.

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 replat several lots into two new lots.

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 land intended for building 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 relatively flat.

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.

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.

The Sewer Division of the Public Works Department will review and approve the drainage and sanitary system plans for this development prior to building permits being issued.

VACATION (Vac-1613) – For all of the dedicated alley in Block 1 of A.M. Jerome's Addition bounded by Franklin Avenue, 5th Avenue South, East 19th Street and Portland Avenue

Development Plan: The site plan for the development is attached.

Responses from Utilities and Affected Property Owners: Of the utilities and/or affected property owners that have responded Comcast and CenturyLink have requested an easement.

Findings: The Public Works Department and the Community Planning and Economic Development Department – Planning Division find that the area proposed for the vacation is not needed for any public purpose and it is not part of a public transportation corridor.

RECOMMENDATIONS

Recommendation of the Department of Community Planning and Economic Development for the rezoning:

The Department of Community Planning and Economic Development recommends that the City Planning Commission and City Council adopt the above findings and **approve** the rezoning petition to change the zoning classification of the property located at 1920 and 1928 Portland Avenue, 1923 and 1925 5th Avenue South and 500 and 510 East Franklin Avenue from the C1, Neighborhood Commercial District to the R6, Multiple-family District.

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

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the conditional use permit application for Phase Four of the Franklin-Portland Planned Unit Development which includes 90 dwelling units in two new buildings located at 501 and 515 East 19th Street, 1900, 1906, 1908, 1914, 1920 and 1928 Portland Avenue, 1919, 1921, 1923 and 1925 5th Avenue South and 500 and 510 East Franklin Avenue subject to the following conditions:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within two years 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 and those proposed by the applicant totaling a minimum of 37 points: The site amenities include The site amenities include Leadership in Energy and Environmental Design (LEED), garden(s) or on-site food production, outdoor open space, outdoor children's play area, reflective roof, decorative fencing, enhanced landscaping, enhanced stormwater management, heated drives or sidewalks and a new bus shelter on Franklin Avenue.

3. The applicant shall submit the LEED checklist and documentation, approved by a LEED Accredited Professional (LEED-AP), that shows that the project will comply with LEED Silver requirements prior to building permits being issued.

4. The applicant shall submit a roof plan indicating the extent of the reflective roofing material prior to building permits being issued. The reflective roofing materials shall cover a minimum of 75 percent of the total roof surface and have a Solar Reflectance Index (SRI) equal to or greater than the values as required by the US Green Building Council (USGBC) for low-sloped and steep-sloped roofs.

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 adopt the above findings and **approve** the variance application to increase the fence height in the required front yard along both Portland Avenue and 5th Avenue South from the permitted four feet to eight feet for the property located at 501 and 515 East 19th Street, 1900, 1906, 1908, 1914, 1920 and 1928 Portland Avenue, 1919, 1921, 1923 and 1925 5th Avenue South and 500 and 510 East Franklin Avenue subject to the following conditions:

1. The area between the fence and the public sidewalk along 5th Avenue South shall be landscaped.

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 site plan review application for an approximately 148,000 square foot residential development located at 501 and 515 East 19th Street, 1900, 1906, 1908, 1914, 1920 and 1928 Portland Avenue, 1919, 1921, 1923 and 1925 5th Avenue South and 500 and 510 East Franklin Avenue subject to the following conditions:

1. Approval of the final site, landscaping, elevation and lighting plans by the Department of Community Planning and Economic Development.

2. All site improvements shall be completed by April 8, 2015, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

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

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the preliminary plat application for the property located 501 and 515 East 19th Street, 1900, 1906, 1908, 1914, 1920 and 1928 Portland Avenue, 1919, 1921, 1923 and 1925 5th Avenue South and 500 and 510 East Franklin Avenue.

Recommendation of the Department of Community Planning and Economic Development for the vacation:

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the vacation application for all of the dedicated alley in Block 1 of A.M. Jerome's Addition bounded by Franklin Avenue, 5th Avenue South, East 19th Street and Portland Avenue, subject to the retention of an easement in favor of Comcast and CenturyLink.

Attachments:

1. Preliminary Development Review report from March 6, 2013
2. Project statement
3. TDMP materials
4. Rezoning findings and map
5. Rezoning comparison table, R6 verses C1
6. PUD alternatives and amenities worksheet
7. Conditional use permit findings for the PUD and LEED checklist
8. Variance findings
9. Subdivision findings, including copies of the preliminary and final plat
10. Vacation application and comments from the public utilities
11. February 14, letters to Council Member Lilligren and the Ventura Village Neighborhood Organization
12. Comments from area residents
13. Zoning Map
14. Building renderings
15. Civil plans, landscaping plans and architectural plans
16. Shadow analysis
17. Photos of the site and the surrounding area