

Department of Community Planning and Economic Development
Rezoning, Conditional Use Permit, Variances, and Site Plan Review
BZZ-5964

Date: April 8, 2013

Applicant: Farrington Properties, Inc.

Addresses of Property: 514 First Avenue Northeast and 519 Central Avenue Northeast

Project Name: 6th Street Northeast Redevelopment

Contact Person and Phone: Maureen Michalski, (612) 359-5842

CPED Staff and Phone: Aaron Hanauer, (612) 673-2494

Date Application Deemed Complete: March 15, 2013

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

Ward: 3 Neighborhood Organization: Nicollet Island and adjacent to Marcy Holmes

Existing Zoning: C2/Neighborhood Corridor Commercial District, and PO/Pedestrian Oriented Overlay Dist(^99)

Proposed Zoning: C3A/Community Activity Center District, and PO/Pedestrian Oriented Overlay Dist(^99)

Zoning Plate Number: 14

Lot Area: 36,962 square feet or 0.85 acres

Legal Description: That part of Lots 6 and 7, lying northeasterly of the southwesterly 15 feet thereof, and all of Lot 8, Block 15, Mill Company's Addition to the Town of St. Anthony Falls, according to the recorded plat thereof, Hennepin County, Minnesota.

Proposed Use: Seven story, mixed-use building with 130 apartments and 10,000 square feet of commercial.

Concurrent Review: Maureen Michalski, on behalf of Farrington Properties, Inc, has submitted the following applications:

- Petition to rezone the property located at 514 First Avenue Northeast and 519 Central Avenue Northeast from the C2 (Neighborhood Corridor Commercial) district to the C3A (Community Activity Center) district. The PO (Pedestrian-Oriented) Overlay District will be maintained.
- Conditional Use Permit to increase the maximum permitted height of a mixed-use building from 4 stories or 56 feet to approximately 7 stories or 81 feet at the tallest point.

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- Variance to reduce the interior side yard setback from 15 feet to 5 feet (this was noticed to 0 feet) at the closest point.
- Variance to reduce the minimum lot area requirement from 287 square feet per dwelling unit to 282 square feet per dwelling unit (1.7 percent lot area variance).
- Site Plan Review application to allow a new mixed-use building with 130 apartments and 10,000 square feet of commercial/retail space.

Applicable zoning code provisions: Chapter 525, Article VI Zoning Amendments, Chapter 525, Article VII Conditional Use Permits, Article IX, Variances and Chapter 530 Site Plan Review.

Background: Farrington Properties Inc. proposes to construct a seven story mixed-use building on the properties located at 514 1st Avenue Northeast and 519 Central Avenue Northeast. The u-shaped building would cover most of the site and come close to the property line extents on Central Avenue Northeast, 6th Street Northeast, and 1st Avenue Northeast. In 2011, the Heritage Preservation granted approval to demolish the building located at 519 Central Avenue Northeast. The remainder of the project site is a surface parking lot.

There are three legal parcels that make up the redevelopment site; lots 6, 7, and 8 of the Mill Company's Addition to the Town of Saint Anthony Falls. All lots are in the C2/Neighborhood Corridor Commercial District; however, only lots 7 and 8 are in the Pedestrian Oriented Overlay District. Lots 7 and 8 make up the portion of the lot bound by Central Avenue Northeast and the eastern portion of 6th Street Northeast. The portion of the lot outside of the Pedestrian Oriented Overlay District is bound by the remaining 66 linear feet along 6th Street Northeast and 1st Avenue Northeast.

The new development would include approximately 10,000 square feet of first floor commercial space. A majority of the commercial space would front Central Avenue Northeast; however, there will also be a commercial presence on 6th Street Northeast and 1st Avenue Northeast.

The upper floors would contain 130 market rate apartments. The proposed unit mix is 20 studios (15%), 80 one bedrooms (62%), 26 two bedrooms (20%), and 4 three bedrooms (3%). Proposed amenities for residents include a gravel dog run at the rear of the property, a second floor outdoor area, and a sixth floor terrace with views of downtown. Many of the units will contain projecting balconies.

The materials proposed for the building include cast stone on the first floor, Nichiha on floors two through five, and metal panel on the sixth and partial seventh floor. This material pattern is consistent on all elevations, with the exception of the south elevation (rear wall) first floor, which is proposed to have a rockface concrete masonry unit (CMU) covered by a green screen.

A total of 167 vehicle parking spaces would be provided; 136 parking stalls are proposed in two levels of underground parking for the residents. An additional 31 parking stalls would be provided for the commercial uses on the first floor. To connect the parking on the first floor to the Central Avenue Northeast commercial area, the applicant is proposing a pedestrian arcade. The applicant is also proposing to provide 130 enclosed bike parking spaces for the residential units and bike parking spaces for the commercial uses.

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On January 30, 2013, the Nicollet Island-East Bank Neighborhood Association wrote a letter of support for the project. On March 21, 2013, the attorney representing the neighboring property owner at 519 Hennepin Avenue Northeast and 13 5th Street Northeast submitted a letter expressing his concerns with the proposed project. Any additional correspondence received after the printing of this report will be forwarded on to the Planning Commission for consideration.

REZONING: to rezone the property from C2 to C3A

Findings as Required by the Minneapolis Zoning Code:

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

The zoning amendment is consistent with the applicable policies of the comprehensive plan. The Minneapolis Plan for Sustainable Growth designates the project site as mixed use on the future land use map, which is the applicant's proposal for the site. In addition, the project site is within the East Hennepin Activity Center. An activity center is an area that tends to have a concentration of higher density (up to 120 units per acre) and destination uses which promote activity all day long and into the evening. The proposed project would meet both parts of this guidance. The new development would have approximately 110 units per acre and the commercial space will promote activity throughout the day. Furthermore, the concentration of the commercial space along Central Avenue will assist the Central Avenue Central Commercial Corridor in being a destination for commercial uses.

The zoning amendment to rezone the subject site from C2 to C3A is consistent with the following policies of the comprehensive plan to construct a new mixed-use development:

Land Use Policy 1.1: 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. (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: Ensure appropriate transitions between uses with different size, scale, and intensity. (1.2.3) Lessen the negative impacts of non-residential uses on residential areas through controls on noise, odors, and hours open to the public.

Land Use Policy 1.4: Develop and maintain strong and successful commercial and mixed use areas with a wide range of character and functions to serve the needs of current and future users. (1.4.1) Support a variety of commercial districts and corridors of varying size, intensity of development, mix of uses, and market served. (1.4.2) Promote standards that help make commercial districts and corridors desirable, viable, and distinctly urban, including: diversity of activity, safety for pedestrians, access to desirable goods and amenities, attractive streetscape elements, density and variety of uses to encourage walking, and architectural elements to add interest at the pedestrian level.

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Land Use Policy 1.5: Promote growth and encourage overall city vitality by directing new commercial and mixed-use development to designated corridors and districts. (1.5.1) Support an appropriate mix of uses within a district or corridor with attention to surrounding uses, community needs and preferences, and availability of public facilities. (1.5.2) Facilitate the redevelopment of underutilized commercial areas by evaluating possible land use changes against potential impacts on the surrounding neighborhood.

Land Use Policy 1.8: Preserve the stability and diversity of the city's neighborhoods while allowing for increased density in order to attract and retain long-term residents and businesses. (1.8.1) Promote a range of housing types and residential densities, with highest density development concentrated in and along appropriate land use features.

Land Use Policy 1.10: 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. (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. (1.10.2) Encourage commercial development, including active uses on the ground floor, where Commercial Corridors intersect with other designated corridors. (1.10.4) Encourage a height of at least two stories for new buildings along Commercial Corridors, in keeping with neighborhood character. (1.10.5) Encourage the development of high-density housing on Commercial Corridors.

Land Use Policy 1.12: Support Activity Centers by preserving the mix and intensity of land uses and by enhancing the design features that give each center its unique urban character. (1.12.1) Encourage a variety of commercial and residential uses that generate activity all day long and into the evening. (1.12.2) Encourage mixed-use buildings, with commercial uses located on the ground floor and secure entrances for residential uses. (1.12.3) Encourage active uses on the ground floor of buildings in Activity Centers.

Housing Policy 3.1: Grow by increasing the supply of housing. (3.1.1) Support the development of new medium- and high-density housing in appropriate locations throughout the city.

Housing Policy 3.2: Support housing density in locations that are well connected by transit, and are close to commercial, cultural and natural amenities. (3.2.1) Encourage and support housing development along commercial and community corridors, and in and near growth centers, activity centers, retail centers, transit station areas, and neighborhood commercial nodes.

Housing Policy 3.6: Foster complete communities by preserving and increasing high quality housing opportunities suitable for all ages and household types. (3.6.1) Promote the development of housing suitable for people and households in all life stages that can be adapted to accommodate changing housing needs over time. (3.6.2) Promote housing development in all communities that meets the needs of households of different sizes and income levels.

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

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A rezoning to the C3A district is in the public interest and not solely for the interest of a single property owner. The rezoning of the property would allow for a mixed-use redevelopment that is in compliance with the future land use map for the area and many of the Minneapolis Comprehensive Plan's land use, housing, and urban design policies. In addition, it will further enhance the East Hennepin Activity Center and the Central Avenue Commercial Corridor.

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 existing uses of the surrounding properties are compatible with the proposed zoning district. Most of the surrounding uses are residential, commercial, and/or office. The Melrose Flats (13 5th Street Northeast) and the Cobalt Condominiums (45 Central Avenue Southeast) are two nearby mixed-use buildings with commercial on the first floor and residential on the floors above. Other buildings in the area have a mix of commercial on the first floor and offices on the floors above.

The proposed zoning classification is also compatible with the zoning classification within the general area. The surrounding area consists of property zoned C2, C3A, and I1 Light Industrial (with a living overlay). These zoning classifications allow for medium to high density residential as well as commercial uses.

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.

There are reasonable uses allowed under the C2 zoning classification, however, the City's adopted policies encourage a high-density, mixed-use development on the project site. Further, the C3A district is appropriate within the boundaries of a designated Activity Center.

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.

Historically, this part of Northeast Minneapolis has been a mix of residential, commercial, and office. According to the 2011 Certified Local Government survey, the commercial area bound by Central Avenue on the east and Hennepin Avenue on the west was the first major commercial corridor for the St. Anthony community, prior to its annexation into Minneapolis. Many of the buildings in this area were torn down after World War II as demands for parking increased.

In 1963, the subject property and the surrounding area were zoned differently than what they are today. At that time, the project site was zoned B3C-3/Community Business District. Most of the neighboring properties were also zoned Community Business District (either B3C-2,3, or 4). In 1999, during the last major zoning code update, zoning classifications changed. Most of the B3C properties in the area were reclassified as Commercial (either C2 or C3A). The zoning of today reflects to a high degree the rezoning that took place in 1999.

In the past 10 years there has been a reverse trend in which surface parking lots have been redeveloped for mixed-use development, such as the Cobalt Condominium project and a new mixed use building proposed for 312 Central Avenue Southeast. The proposed project will help continue this positive trend and improve the commercial vitality of the area.

CONDITIONAL USE PERMIT – to increase the maximum permitted height from four stories or 56 feet to seven stories or 81 feet at its tallest point.

Findings as Required by the Minneapolis Zoning Code:

The Community Planning and Economic Development Department – Planning Division has analyzed the application and from the findings above concludes that the establishment, maintenance, or operation of the proposed conditional use:

1. Will be detrimental to or endanger the public health, safety, comfort or general welfare.

The seven story structure would not be detrimental to or endanger the public health, safety, comfort or general welfare. The proposed development accommodates the mixed-use and residential density that is desired in a C3A Zoning District and the East Hennepin Activity Center. The property will be taller than the adjacent properties at 501-509 Central Avenue Northeast and the Melrose Apartments at 13 5th Street Southeast. However, the applicant has stepped the seven story height back five feet from the property line and there is 88 feet of separation between the new development and the Melrose Flats, a Minneapolis historic landmark.

2. Will be injurious to the use and enjoyment of other property in the vicinity and will impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.

The additional height is not expected to be injurious to the use and enjoyment of other property in the vicinity. With the exception of the neighboring building at 501-509 Central Avenue Northeast, there is at least 50 feet of separation between the proposed building and the existing buildings. It is realized that the new development will be four stories taller than the neighboring structure at 501-509 Central Avenue Northeast; however, the neighboring property will not block views compared to existing conditions. The neighboring property has windows along the shared property line, but they have been blocked by the 31-foot tall Totino's building for over 100 years. The new structure will actually provide more visibility for the third story windows of the neighboring building because the new building is 20 feet in height at the property line; the seven story portion of the proposed building is stepped back five feet from the shared property line.

The additional height will also not impede the normal or orderly development and improvement of surrounding property. The additional residents that will live in the new development will provide additional customers for the neighboring businesses and more eyes on the street.

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

Adequate utilities, access roads, and drainage will be provided as part of the project. The Minneapolis Public Works Department reviewed the initial plan for these items at a Preliminary Development Review meeting on March 6, 2013 and provided favorable comments. The applicant will be required to continue to work closely with the Public Works Department, the Plan Review Section of the Inspections Department and the various utility companies during the duration of the development should the applications be approved. This would be required to ensure that all procedures are followed and that the development complies with all city and other applicable requirements.

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

Adequate measures are proposed to minimize traffic congestion in the public streets. The applicant is exceeding their minimum vehicle parking requirement (without exceeding the maximum parking requirement) and bicycle parking requirement for the residents. In addition, the site is within 100 feet of bus stops for three high frequency bus lines (#4, #10, #17) and within walking distance to Downtown.

5. Is consistent with the applicable policies of the comprehensive plan.

The proposed seven story development is consistent with the applicable policies of the comprehensive plan. Please see Rezoning application Finding #1 for a list of land use and housing and policies. In addition, the conditional use permit is consistent with the following urban design policies:

Urban Design Policy 10.5: Support the development of multi-family residential dwellings of appropriate form and scale. (10.5.1) Smaller-scale, multi-family residential development is more appropriate along Community Corridors and Neighborhood Commercial Nodes. (10.5.2) Medium-scale, multi-family residential development is more appropriate along Commercial Corridors, Activity Centers, Transit Station Areas and Growth Centers outside of Downtown Minneapolis.

Urban Design Policy 10.6: New multi-family development or renovation should be designed in terms of traditional urban building form with pedestrian scale design features at the street level. (10.6.4) Orient buildings and building entrances to the street with pedestrian amenities like wider sidewalks and green spaces.(10.6.5) Street-level building walls should include an adequate distribution of windows and architectural features in order to create visual interest at the pedestrian level.

Urban Design Policy 10.9: Support urban design standards that emphasize traditional urban form with pedestrian scale design features at the street level in mixed-use and transit-oriented development.

Urban Design Policy 10.10: Support urban design standards that emphasize a traditional urban form in commercial areas. (10.10.4) Orient new buildings to the street to foster safe and successful commercial nodes and corridors. (10.10.6) Require storefront window transparency to assure both natural surveillance and an inviting pedestrian experience.

Urban Design Policy 10.18: Reduce the visual impact of automobile parking facilities. (10.18.3) Locate parking lots to the rear or interior of the site. (10.18.4) Provide walkways within parking lots in order to guide pedestrians through the site. (10.18.6) The ground floor of parking structures should be designed with active uses along the street walls except where frontage is needed to provide for vehicular and pedestrian access.

6. And, does 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, variances and site plan review applications, this development would be in conformance with the applicable regulations of the zoning code.

ADDITIONAL STANDARDS TO INCREASE MAXIMUM HEIGHT

In addition to the conditional use standards, the city planning commission shall consider, but not be limited to, the following factors when determining the maximum height:

1. Access to light and air of surrounding properties.

The increase in height would have little effect on the access to light and air of surrounding properties. With the exception of the neighboring building at 501-509 Hennepin Avenue East, there is at least 50 feet of separation between the proposed development and the surrounding buildings. As for the building at 501-509 Hennepin Avenue East, the primary access of light and air along Hennepin Avenue East will not be impacted by the new development. In addition, the windows on the third floor of the neighboring building will have greater access to light compared to existing conditions. Currently, the Totino's building is 31 feet in height at the property line. The new development will be 20 feet tall at the property line. The seven story portion of the proposed building is stepped back five feet from the shared property line.

2. Shadowing of residential properties or significant public spaces.

The project would not have a shadowing effect on the primary elevations of existing residential properties (501-509 Hennepin Avenue East and 13 5th Street East) or on significant public spaces. The greatest impact to these residential buildings' rear elevations will happen in the winter and spring mornings when the sun is at its lowest level. The proposed development will also cast shadows on the nonresidential building at 605 Central Avenue Northeast. However, the difference in shadows between the height of the proposed building and a four story building (which is allowed by right) would not be substantial.

3. The scale and character of surrounding uses.

The proposed development will fit in with the scale of the surrounding uses. Although the proposed buildings is taller than its immediate surroundings, nearby buildings are a similar height including the Cobalt Condominiums at 45 Central Avenue Southeast (10 stories), the seven story building at 620 Central Avenue Southeast, the Banks Building at 615 1st Avenue Northeast (5 stories), and the Aveda Institute Building at 400 Central Avenue Southeast (5 stories). The proposed development will also fit

in with the character of the surrounding area. The proposed material design which includes a traditional masonry/stone on the first floor and a dark red cladding on the floors above will complement the neighboring late 19th/early 20th century brick buildings.

4. Preservation of views of landmark buildings, significant open spaces or water bodies.

The project site is located just to the north of the Melrose Flats, a Minneapolis historic landmark. The proposed project will not impact the views of the primary elevations of this landmark.

VARIANCES – (1) Variance to reduce the minimum lot area requirement from 287 square feet per dwelling unit to 282 square feet per dwelling unit, a variance of approximately 1.7 percent. (2) Variance to reduce the interior side yard setback from 15 feet to 0 feet at the closest point.

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.

Variance to reduce the minimum lot area requirement from 287 square feet per dwelling unit to 282 square feet per dwelling unit, or a variance of approximately 1.7 percent: Because the development qualifies for two density bonuses, the minimum lot size requirement is 287 square feet per unit. The proposed lot area per dwelling unit is 282 square feet. The applicant is requesting the variance to allow two additional units which is a reasonable use given the project location. The project site is located within the East Hennepin Activity Center and on a commercial corridor. The comprehensive plan supports high-density (up to 120 dwelling units per acre) in activity centers. The proposed density is 110 dwelling units per acre.

Variance to reduce the interior side yard setback from 15 feet to 5 feet at the closest point: A 15-foot setback is required along the south interior property line due to the fact that there are residential windows on the upper five floors of the building facing this property line. Along the outer portions of the proposed building, the windows are approximately five feet from the interior side yard lot line. The first floor of the structure, which would contain parking and the back of two commercial establishments (without windows), is not subject to the 15 foot setback requirement.

Given the uniqueness of the site and the surrounding context, staff believes that practical difficulties exist in complying with the ordinance, and allowing a reduction in the setback along this property line is a reasonable use of the subject site. The property is unique in that it has frontage on three public streets. The south interior side of the site is the only side of the property not abutting a public street. The subject area is one of the oldest commercial corridors in Minneapolis. Historically, mixed-use buildings in this area were built up to the interior property lines with residential windows being built near property lines, including the neighboring building at 509 Hennepin Avenue Northeast. This helps provide for a compact urban environment and a solid building wall along a block face. The applicant would like to maintain this neighborhood character with the new development. The applicant has designed the new building to maintain the solid building wall along Central Avenue Northeast and 1st Avenue Northeast while providing greater relief for the neighboring building's upper floor residential units, compared to existing conditions. Currently, the Totino's building is 31 feet in height at the property line, which blocks third

story windows of the neighboring building at 509 Hennepin Avenue Northeast. The applicant has proposed that the first floor of the new development be 20 feet tall at the property line and that the upper floors be stepped in a minimum of five feet. This will provide more visibility for the third floor apartment(s) at 509 Hennepin Avenue.

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.

Variance to reduce the minimum lot area requirement from 287 square feet per dwelling unit to 282 square feet per dwelling unit, or a variance of approximately 1.7 percent: The request is reasonable and is in keeping with the spirit and intent of the ordinance and the comprehensive plan. Even though the building exceeds the lot area requirement, the applicant has taken measures to reduce the building's impact by proposing less dwelling units per acre (110 units) than the upper limit for an activity center (120 units per acre), complying with the floor area ratio regulation, and providing vehicle and bicycle parking in excess of the required minimum amount.

Variance to reduce the interior side yard setback from 15 feet to 5 feet at the closest point: The proposal to reduce the setback for the residential floors of the building from 15 to 5 feet at the closest point is a reasonable request and will be in keeping with the spirit of the ordinance and comprehensive plan. The intent of having yard controls is to provide for orderly development and to minimize conflicts between adjacent land uses. The proposed project actually maintains the required 15 foot setback for the residential window openings of the upper floors for approximately 127 of the 265 linear feet (48 percent) along this property line. The window openings on the outer portion of the building near 1st Avenue Northeast will not be near adjacent development. Along Central Avenue Northeast, the existing building on the subject parcel and the neighboring building (509 Hennepin Avenue Northeast) are currently built up to their shared property line with the 509 Hennepin Avenue Northeast building having windows at the property line. This has been an existing condition for more than 100 years. The applicant's proposal to build the first floor to the shared property line and setback the upper residential floors five feet will help maintain a solid building wall along Central Avenue Northeast and 1st Avenue Northeast, while providing more light and air for the neighboring building's residential unit(s). The proposed building would be 20 feet in height at the property line compared to the existing 31-foot tall building and then stepped back five feet for the upper floors.

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.

Variance to reduce the minimum lot area requirement from 287 square feet per dwelling unit to 282 square feet per dwelling unit, or a variance of approximately 1.7 percent: The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property. If granted, the new development will provide two additional residential units than what is allowed by the zoning code. With the additional units, the density of the new development (110 units per acre) will still be lower than what the comprehensive plan says is permissible for activity centers (up to 120 units per acre).

Granting of the variance will also not be detrimental to the health, safety, or welfare of the general public or those utilizing the property or nearby properties. The applicant has taken measures to reduce the building's impact by complying with the floor area ratio regulation, and providing vehicle and bicycle parking in excess of the required minimum amount.

Variance to reduce the interior side yard setback from 15 feet to 5 feet at the closest point: The granting of the variance to allow a reduction in the interior side yard setback requirement due to residential windows on the upper floors will not alter the essential character of the locality nor be injurious to the use or enjoyment of other property in the vicinity. Granting of the variance will also not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties. Approximately half of the proposed building will meet the 15 foot setback requirement for residential windows. In addition, along 1st Avenue Northeast, the window openings will not be near any adjacent development. Along Central Avenue Northeast, the neighboring building at 509 Hennepin Avenue Northeast and the existing building on the project site are built up to the shared property line, with the neighboring building having windows on the upper floors. The proposed development will provide more light and air for the residential portion of the adjacent property at 509 Hennepin Avenue Northeast compared to existing conditions. The proposed building would be 20 feet in height at the property line compared to the 31-foot tall building and then stepped back five feet for the upper floors.

SITE PLAN REVIEW

Findings as Required by the Minneapolis Zoning Code:

- A. The site plan conforms to all applicable standards of Chapter 530, Site Plan Review. (See Section A Below for Evaluation.)**
- B. The site plan conforms to all applicable regulations of the zoning ordinance and is consistent with applicable policies of the comprehensive plan and applicable small area plans adopted by the city council. (See Section B Below for Evaluation.)**

Section A: Conformance with Chapter 530 of Zoning Code

BUILDING PLACEMENT AND DESIGN:

- Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.**
- First floor of the building shall be located not more than eight (8) feet from the front lot line (except in C3S District or where a greater yard is required by the zoning ordinance). If located on corner lot, the building wall abutting each street shall be subject to this requirement.**
- The area between the building and the lot line shall include amenities.**
- The building shall be oriented so that at least one (1) principal entrance faces the public street. In the case of a corner lot, the principal entrance shall face the front lot line.**
- Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.**

- For new construction, the building walls shall provide architectural detail and shall contain windows as required by Chapter 530 in order to create visual interest and to increase security of adjacent outdoor spaces by maximizing natural surveillance and visibility.
- In larger buildings, architectural elements, including recesses or projections, windows and entries, shall be emphasized to divide the building into smaller identifiable sections.
- Blank, uninterrupted walls that do not include windows, entries, recesses or projections, or other architectural elements, shall not exceed twenty five (25) feet in length.
- Exterior materials shall be durable, including but not limited to masonry, brick, stone, stucco, wood, metal, and glass.
- The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.
- The use of plain face concrete block as an exterior material shall be prohibited fronting along a public street, public sidewalk, public pathway, or adjacent to a residence or office residence district.
- Entrances, windows, and active functions:
 - Residential uses:
 - Principal entrances shall be clearly defined and emphasized through the use of architectural features such as porches and roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Twenty (20) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:
 - a. Windows shall be vertical in proportion.
 - b. Windows shall be distributed in a more or less even manner.
 - Nonresidential uses:
 - Principal entrances shall be clearly defined and emphasized through the use of architectural features such as roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Thirty (30) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:
 - a. Windows shall be vertical in proportion.
 - b. Windows shall be distributed in a more or less even manner.
 - c. The bottom of any window used to satisfy the ground floor window requirement may not be more than four (4) feet above the adjacent grade.
 - d. First floor or ground floor windows shall have clear or lightly tinted glass with a visible light transmittance ratio of 0.6 or higher.
 - e. First floor or ground floor windows shall allow views into and out of the building at eye level. Shelving, mechanical equipment or other similar fixtures shall not block views into and out of the building in the area between four (4) and seven (7) feet above the adjacent grade. However, window area in excess of the minimum required area shall not be required to allow views into and out of the building.
 - f. Industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, may provide less than thirty (30) percent windows on the walls that face an on-site

parking lot, provided the parking lot is not located between the building and a public street, public sidewalk or public pathway.

- g. In multiple tenant buildings, each individual ground level tenant space that faces a public street, public sidewalk, public pathway, or on-site parking lot shall comply with the minimum window requirements of this section.**
- **Minimum window area shall be measured as indicated in section 530.120 of the zoning code.**
 - **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.**
 - **Minimum window area shall be measured as indicated in section 530.120 of the zoning code.**
 - **The form and pitch of roof lines shall be similar to surrounding buildings.**
 - **Parking Garages: The exterior design shall ensure that sloped floors do not dominate the appearance of the walls and that vehicles are screened from view. 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.**

CPED RESPONSE:

The placement of the building, which is built out to the property lines along Central Avenue Northeast, 6th Street Northeast, and 1st Street Northeast, will reinforce the street wall; maximize natural surveillance and visibility of the streets.

The area between the building and the street will have amenities including wider sidewalks, street trees, planting areas, and bicycle racks.

The building is oriented so that one principal entrance faces the public street. The principal residential entrance is on 6th Street Northeast. Each of the eight commercial spaces has a separate entrance, either on Central Avenue Northeast, 6th Street Northeast, or 1st Avenue Northeast.

The project includes two floors of underground parking and parking on the first floor that is located within the interior of the site.

The exterior cladding is a simple and straightforward proposal that will complement the neighboring brick buildings from the late 19th and early 20th centuries. The applicant is proposing a stone base, dark red Nichiha on floors two through five, and metal panels for floors six and seven. The projecting balconies and tall windows (seven feet in height) will provide additional visual interest and increase security of adjacent outdoor spaces.

The proposal includes efforts to divide the building into smaller identifiable sections. Confining the apartment building to half of the block face on Central Avenue Northeast and 1st Avenue Northeast helps reduce the size and feel of the building (compared to a block long development). Along 6th Street

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North, the building is proposed to be stepped in five feet for approximately half of the elevation to help break up the massing along this portion. In addition, the pedestrian arcade along Central Avenue and vehicular access points on the 6th Street Northeast and 1st Avenue Northeast help divide the building into smaller identifiable sections.

The only portion of the building that does not have windows, entries, recesses, or projections for 25 feet in width is the first floor of the rear elevation. For this segment, the applicant has requested alternative compliance with an attached green screen.

The exterior materials for the project are durable. The primary exterior materials are cast stone, Nichiha, and metal panels. The applicant is proposing to maintain this exterior treatment on all elevations, with the exception of the first floor on the back wall. This segment is proposed to have a rockface concrete masonry unit. If the project is approved, and exterior material changes are proposed, it will be evaluated on whether it is a major or minor alteration.

The main residential entrance on 6th Street Northeast is clearly defined and emphasized through the use of a canopy that frames the front entrance. Each of the commercial entrances is proposed to be clearly identified through the use of cloth canopies and signage.

The proposed building meets the window requirements on all floors in terms of percentages and orientation with the exception of the first floor on the south elevation (rear elevation). To improve the appearance of this blank wall, the applicant is proposing a green screen for the full extent that is exposed.

For the residential use, at least 20 percent of the first floor walls, measured between two and 10 feet above the adjacent grade, are required to be windows. The project has a residential presence on 6th Street Northeast. The applicant has proposed 63 percent window coverage at this location. The windows would be vertical in proportion and distributed in a more or less even manner.

For the nonresidential uses within the Pedestrian Oriented Overlay District, at least 40 percent of the first floor walls measured between two and 10 feet above the adjacent grade, minus the openings for the garage entrance, are required to be windows. The Central Avenue Northeast storefronts and the storefronts on 6th Street East to the east of the covered driveway are in the Pedestrian Oriented Overlay District. At these locations the applicant is proposing 58 percent and 79 percent window coverage respectively. For the nonresidential uses outside the Pedestrian Oriented Overlay District, more than 30 percent of the first floor walls measured between two and 10 feet above the adjacent grade, minus the openings for the garage entrance are required to be windows. This includes the storefronts on 6th Street Northeast to the west of the covered driveway and the storefronts along 1st Avenue Northeast. At these locations the applicant is proposing 79 percent and 39 percent window coverage respectively. All of the nonresidential windows on the first floor would be vertical in proportion and distributed in a more or less even manner. As condition of approvals, these windows shall be clear or lightly tinted glass with a visible light transmittance ratio of six-tenths or higher. In addition, the first floor windows shall allow views into and out the building at eye level. Shelving, mechanical equipment or other fixtures shall not block views into and out of the building at eye level between four and seven 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.

On the upper levels of the building, at least 10 percent of the walls facing Central Avenue Northeast, 6th Street Northeast, and 1st Avenue Northeast are required to be windows. The applicant is proposing a minimum of 34 percent window coverage on the upper floors along Central Avenue Northeast, 42 percent on 6th Street Northeast, and a minimum of 38 percent window coverage on the upper floors along 1st Avenue Northeast. These windows would also be vertical in proportion and distributed in a more or less even manner.

The proposed building meets the active function requirement along Central Avenue Northeast and 6th Street Northeast by not having space devoted to parking, loading, storage, or mechanical equipment along a wall facing the public street. However, along 1st Avenue Northeast, 47 of the 141 linear feet (33 percent) is designed to accommodate loading, parking, and mechanical equipment. No more than 30 percent of the linear building frontage is allowed to be inactive uses such as those proposed. CPED is recommending that the applicant install decorative metal grills within the parking garage window openings as a form of alternative compliance.

The applicant is proposing a flat roof, which is similar to the surrounding buildings.

The parking garage does not dominate the appearance of the walls and the vehicles will be hidden from view.

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:

The building entrances lead directly to the sidewalks on Central Avenue Northeast, 6th Street Northeast, and 1st Avenue Northeast. In addition, the project has an 18-foot wide arcade that connects the parking area on the first floor to the building entrances. The proposed arcade will help minimize conflicts with pedestrian traffic and surrounding residential uses.

The applicant is not proposing a transit shelter.

Vehicular access and circulation are designed to minimize conflicts with pedestrian traffic and surrounding residential uses. The driveways at 6th Street Northeast and 1st Avenue Northeast are proposed to be 20 feet in width, which will help reduce the speed of cars entering and exiting the site. In addition, the number of vehicular access points will be reduced from the current three to two with the new development.

The entire site will be impervious, as the building footprint covers 90% of the site, and walkways and other impermeable surfaces (including a pet run) are located on the remaining 10% of the lot. However, landscaping is proposed to be provided within the public right-of-way along Central Avenue Northeast, 6th Street Northeast, and 1st Avenue Northeast. Within the right-of-way, the applicant is proposing 12 deciduous trees and evenly distributed perennial planting beds.

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 composition and location of landscaped areas complement the scale of the mixed-use development and its surroundings. The applicant is proposing street trees and landscaping between the sidewalk and the street along Central Avenue Northeast, 6th Street Northeast, and 1st Avenue Northeast, which will enhance the appearance of the area while not sacrificing the pedestrian's experience.

The zoning code requires that at least 20 percent of the site not occupied by a building be landscaped. The lot area of the site is 36,962 square feet. The building footprints would be approximately 33,146 square feet. The lot area minus the building footprint therefore consists of approximately 3,816 square feet. At least 20 percent of the net site area, 763 square feet must be landscaped. None of the site is proposed to be landscaped. The applicant is seeking alternative compliance from this landscaping requirement by proposing a 1,110 square feet of landscaping within the public right-of-way.

All parking will be enclosed and is not subjected to screening and landscaped yard requirements.

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 parking will be enclosed.

The site plan minimizes the blocking of views of important elements of the city. The proposed building location also minimizes shadows on public spaces and primary elevations of adjacent properties. The proposed development will likely cast the greatest shadows on the primary elevation of the building at 605 Central Avenue Northeast. However, the difference in shadows between the height of the proposed building and a four story building (which is allowed by right) would not be substantial. The impact of wind currents at ground level should not be an issue with the proposed building.

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The site plan includes crime prevention design elements including natural surveillance and visibility, territorial reinforcement, and natural access control. Lighting levels will be required to comply with Chapter 535.

The site plan does not include the rehabilitation and reuse of a locally designated historic structure. Permission was granted to demolish the building at 519 Central Avenue Northeast from the Heritage Preservation Commission (HPC) in 2011. The HPC found that a rehabilitation plan of the existing structure was not financially feasible.

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

ZONING CODE:

Use: The proposed residential and commercial uses are permitted in the C3A zoning district.

Parking and Loading:

Minimum automobile parking requirement: The minimum parking requirement for a multiple-family building in the C3A district is one space per dwelling unit. A total of 130 dwelling units are proposed. Therefore, 130 parking spaces are required. For the residents, the applicant would provide 136 spaces in the sublevel parking garage. Chapter 541 of the zoning code states that not more than 25 percent of the spaces, or 27, can be compact. The applicant is proposing that 20 spaces be compact.

Chapter 541 of the zoning code states that non-residential uses with one thousand (1,000) square feet or less shall be exempt from minimum off-street parking requirements. Chapter 541 also states that all uses over one thousand square feet, other than those specified under the heading "Residential Uses" shall provide a minimum of four parking spaces or the amount specified in this table, whichever is greater, except as otherwise provided in this chapter. The project has not identified specific uses, but shows one establishment under 1,000 square feet, and seven establishments between 1,000 and 2,000 square feet. The zoning code minimum of four parking spaces per establishment between 1,000 and 2,000 square feet is a good approximation since most retail uses and a majority of the food and beverage uses under 2,000 square feet will require a minimum of four spaces. Therefore, the base off street parking requirement for the commercial portion of the project is 28 spaces. However, since project site is located in the Central Avenue Northeast Pedestrian Oriented Overlay District, it allows the applicant to reduce the parking requirement for the nonresidential uses by 25 percent. With the reduction, the parking requirement for the commercial spaces is 21 parking spaces. The applicant is proposing 31 parking stalls (none are proposed to be compact) within the enclosed grade level parking area for the commercial uses. More parking may be required depending on the type of establishments that decide to locate at this project site.

Maximum automobile parking requirement: The residential portion of the project is not subjected to a parking maximum given that all parking would be enclosed.

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For the commercial component of the project, the applicant has not identified the specific uses. If all of the establishments were general retail sales and services, the maximum parking would be one parking space per 200 square feet of gross floor area. The applicant is proposing 10,179 square feet of commercial space. Therefore, the maximum would be 51 parking spaces. However, since the development is within the Central Avenue Northeast Pedestrian Oriented Overlay District, the maximum off-street parking allowance for nonresidential uses is required to be seventy five percent of the maximum allowed as specified in Chapter 541 of the Zoning Code. Therefore, the maximum parking would be reduced to 38 spaces. If some of the spaces become food and beverage uses the parking maximum would be greater.

Bicycle Parking: In general, the minimum bicycle parking requirement for a multiple-family dwelling is equal to one space per two dwelling units. Not less than 90 percent of the required bicycle parking must meet the standards for long term parking. All required bicycle parking spaces must be accessible without moving another bicycle and its placement shall not result in a bicycle obstructing a required walkway. Bicycle racks shall be installed to the manufacturer's specifications, including the minimum recommended distance from other structures. In addition, required long-term bicycle parking spaces must be located in enclosed and secured or supervised areas providing protection from theft, vandalism and weather and shall be accessible to intended users. Required long-term bicycle parking for residential uses shall not be located within dwelling units or within deck or patio areas accessory to dwelling units. The total minimum requirement is 65 spaces, of which at least 59 must meet the long-term parking requirements. In total, the applicant would provide a total of 130 long-term spaces within the below-grade parking garage.

The minimum bicycle parking requirements for commercial uses with less than 1,000 square feet are exempt from minimum bicycle parking requirements. Most commercial uses (general retail and restaurants) between 1,000 and 2,000 square feet are required to provide a minimum of 3 spaces. The applicant is proposing one commercial establishment with less than 1,000 square feet and seven establishments with square footage between 1,000 and 2,000 square feet. Therefore, the proposed project is required to provide a minimum of 21 bicycle spaces. The applicant has proposed a total of 10 bicycle parking spaces. As conditioned, the applicant shall provide a total of 21 bicycle parking spaces to meet the bicycle parking requirement. Not less than 50 percent of the required bicycle parking for the commercial uses must meet the standards for short-term parking. All required bicycle parking spaces must be accessible without moving another bicycle and its placement shall not result in a bicycle obstructing a required walkway. Bicycle racks shall be installed to the manufacturer's specifications, including the minimum recommended distance from other structures. In addition, short term spaces must be located in a convenient and visible area within 50 feet of a principal entrance and must permit the locking of the bicycle frame and one wheel to the rack and must support a bicycle in a stable position without damage to the wheels, frames or components. The 10 spaces proposed meet the short term requirements. Therefore, the applicant would be required to provide at least one more space that meets the short term bike parking standards.

Loading: The applicant is proposing to provide a loading space near the 1st Avenue Northeast access point to meet the requirement for the multifamily portion of the building. Multiple-family dwellings of 100 to 250 units are required to provide one small loading space that is at least 10 feet in width and 25 feet in length. The proposed loading space will meet this requirement. Retail sales and service uses require a dedicated loading space when there is at least 20,000 square feet. The

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proposed project has approximately 10,000 square feet of retail. Therefore, the commercial component of the project is not required to provide a loading space.

Maximum Floor Area: The proposed project meets their maximum floor area ratio requirement. The maximum floor area ratio in the C3A Zoning District is 2.7. However, the proposed development is eligible for a 20 percent bonus for underground/enclosed parking and for a 20 percent bonus for having a mixed/commercial residential building. With the bonuses, the maximum floor area ratio is 3.8. The proposed development has a floor area ratio of 3.7.

Height: The maximum height for a multifamily building in the C3A Zoning District is four stories or 56 feet, whichever is less. The proposal would not conform to this requirement as the structure is proposed to be seven stories or approximately 81 feet at its tallest point. The conditional use permit application for the proposed increase in height has been evaluated above.

Minimum Lot Area: The minimum lot area requirement in the C3A district is 400 square feet per dwelling unit. However, the development qualifies for two density bonuses for enclosing all required residential parking spaces and for devoting at least 50 percent of the ground floor to commercial uses. With the density bonuses, the minimum lot size requirement is reduced to 287 square feet per unit. A 130 unit project with 287 square feet per unit would require 37,310 square feet in lot area. The project site is 36,962 square feet. With 130 units, the project site would provide 282 square feet per unit. A variance is required to reduce the minimum lot area requirement by 1.7 percent. The variance application for the proposed reduction in lot area has been evaluated above.

Dwelling Units per Acre: With 130 dwelling units on a site having 36,962 square feet of lot area, the proposal would include approximately 110 dwelling units per acre.

Yard Requirements: Front – (adjacent to 6th Street Northeast, Central Avenue Northeast and 1st Avenue Northeast) - 0 feet and south interior side – 15 feet for those floors with residential windows facing the property line.

Specific Development Standards: There are no specific development standards for multiple family dwellings in the C3A Zoning District.

Signs: As conditioned, the applicant's master sign plan meets the sign regulations set forth in Chapter 543. Since the applicant is not proposing a freestanding sign, the applicant is allowed to have one-and-a-half square feet of signage for every one foot of primary building wall. The Central Avenue Northeast elevation is 193 linear feet and therefore can have up to 289 square feet of signage. The applicant is proposing 288 square feet. The 6th Street Northeast elevation is 170 linear feet and is allowed up to 255 square feet of signage. The applicant is proposing 253 square feet of signage. The 1st Avenue Northeast elevation is 146 linear feet and is allowed up to 219 square feet of signage. The applicant is proposing 219 square feet.

There no limit to the number of signs allowed in the C3A Zoning District when they meet the overall size allocation requirement. The applicant is proposing twenty signs. Sixteen of the signs will be wall signs primarily to identify the business, three projecting signs are proposed to direct people to the parking areas, and one metal canopy sign is proposed for the main residential entrance. On the 1st

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Avenue Northeast elevation two signs are proposed on the parking garage. The applicant states the copy is unknown for these signs. If the signs are not installed, the applicant states they may increase the size of the other signs on the 1st Avenue Northeast elevation while staying at or below the allowed 219 square feet.

The proposed wall, projecting, and canopy signs are below the maximum area allowed per sign. The largest wall sign would be 50 square feet. Wall signs are allowed to be up to 180 square feet in the C3A Zoning District. Each of the projecting signs is proposed to be 24 square feet. The maximum square footage for a projecting sign is 48 square feet. The canopy sign is proposed to be 48 square feet. The maximum square footage allowed for a metal canopy sign is 180 square feet.

There is no limit on the height of signs in the C3A District. The height of the tallest sign would be the projecting signs that are proposed to be 20 feet above grade.

The applicant is not proposing any backlit signs and therefore meets the lighting requirements of the C3A Zoning District. All of the wall signs would be externally illuminated.

Dumpster Screening: The building's main refuse and recycling areas will be located inside of the building.

Lighting: A photometric plan was not submitted as part of the application. All lighting will need to be downcast and shielded to avoid undue glare. All lighting shall comply with Chapter 535. Planning Staff shall review the details of the fixtures in the final review prior to permit issuance.

MINNEAPOLIS PLAN:

See the above listed response to finding #1 in the rezoning application and finding #5 in the conditional use permit application as the policies and implementation steps identified apply to the site plan review application as well.

ALTERNATIVE COMPLIANCE:

- **The Planning Commission or zoning administrator may approve alternatives to any site plan review requirement upon finding any of the following:**
- **The alternative meets the intent of the site plan chapter and the site plan includes amenities or improvements that address any adverse effects of the alternative. Site amenities may include but are not limited to additional open space, additional landscaping and screening, green roof, decorative pavers, ornamental metal fencing, architectural enhancements, transit facilities, bicycle facilities, preservation of natural resources, restoration of previously damaged natural environment, rehabilitation of existing structures that have been locally designated or have been determined to be eligible to be locally designated as historic structures, and design which is similar in form, scale and materials to existing structures on the site and to surrounding development.**
- **Strict adherence to the requirements is impractical because of site location or conditions and the proposed alternative meets the intent of this chapter.**

- **The proposed alternative is consistent with applicable development plans or development objectives adopted by the city council and meets the intent of this chapter.**

CPED RESPONSE:

The applicant's proposal requires alternative compliance for not meeting the minimum landscaped area, for the blank first floor wall on the south elevation, and for not having the required percentage of ground floor active functions along the 1st Avenue Northeast elevation.

General landscaping and screening requirements: The project site, as proposed, would not have any landscaping. Therefore it will not meet the 20 percent landscaping requirement, nor the tree or shrub requirements. The site is 36,962 square feet. The building footprint is 33,146 square feet. A total of 763 square feet of landscaping would be required to meet the 20 percent requirement. In addition, two trees and eight shrubs are required by code. Based on the configuration of the building on the premises it would not be practical to require compliance with the landscaping requirements. The only available location for landscaping is at the rear of the property. It is unlikely that having landscaping at this location would survive, serve the residents, or improve the building appearance. Instead the applicant has proposed a 777 square foot pet run at this location. In lieu of landscaping the project site, the applicant is proposing to locate 1,100 square feet of landscaping that includes 12 deciduous trees, and perennial plantings in the public right-of-way. CPED recommends that the Planning Commission grant approval of the requested alternative compliance for landscaping. The proposed location will give the landscaping a better chance at survival, be a greater amenity for residents and businesses, and improve the appearance of the built environment.

Blank, uninterrupted walls that do not include windows, entries, recesses or projections or other architectural elements that exceed 25 feet in length: The first floor on the south elevation (rear elevation) is proposed to be an exposed blank wall for 176 linear feet. Behind the blank wall would be the first floor parking. As an alternative, the applicant has proposed a green screen for the entire length of the exposed wall. The alternative meets the intent of the site plan chapter by reducing the impact of a floor not having windows and increasing the amount of landscaping and screening. When in bloom, the green screen will have a better appearance than windows punched into the wall of a parking garage at this location. CPED recommends the Planning Commission grant approval of the requested alternative compliance for a blank wall.

Ground floor active functions: The 1st Avenue Northeast elevation is proposed to have inactive space for 33 percent of the building wall which exceeds the zoning code's 30 percent maximum. As an alternative, CPED is recommending that the applicant install decorative metal grills within the parking garage window openings that allow for clear views in and out of this portion of the building, but add elements of visual interest.

RECOMMENDATIONS:

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

The Community Planning and Economic Development Department recommends that the City Planning Commission and the City Council adopt the above findings and **approve** the petition to rezone the

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property of 519 Central Avenue Northeast and 514 1st Avenue Northeast from C2 Neighborhood Corridor Commercial District to C3A Community Activity Center District.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the Conditional Use Permit:

The Community Planning and Economic Development Department recommends that the City Planning Commission adopt the above findings and **approve** the application for a conditional use permit to allow an increase in height from four stories or 56 feet to approximately seven stories or 81 feet at the tallest point for the properties located at 519 Central Avenue Northeast and 514 1st Avenue Northeast 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 year of approval.
2. Only the southeast and southwest portions of the building shown on the submitted plans for this review are allowed to be seven stories in height.

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

The Community Planning and Economic Development Department recommends that the City Planning Commission adopt the above findings and **approve** the application for a variance to allow the reduction in minimum lot area requirement from 287 square feet per dwelling unit to 282 square feet per dwelling unit (1.7 percent lot area variance) for the properties located at 519 Central Avenue Northeast and 514 1st Avenue Northeast.

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

The Community Planning and Economic Development Department recommends that the City Planning Commission adopt the above findings and **approve** the application for a variance to reduce the interior side yard from 15 feet to 5 feet at the closest point for the properties located at 519 Central Avenue Northeast and 514 1st Avenue Northeast subject to the following condition of approval:

1. The setback reductions delineated on the final plans shall match the submitted plans.

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

The Community Planning and Economic Development Department recommends that the City Planning Commission adopt the above findings and **approve** the site plan review application for the property located at 519 Central Avenue Northeast and 514 1st Avenue Northeast subject to the following conditions:

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1. Approval of the final site, elevation, landscaping and lighting plans by the Department of Community Planning and Economic Development.
2. All site improvements shall be completed by May 10, 2015, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
3. Lighting levels shall meet the requirements outlined in Section 535.590 of the zoning code.
4. The animal run shall be fenced or otherwise enclosed to keep the animals confined to the designated area.
5. The applicant shall provide a total of 21 bicycle parking spaces for the commercial establishment and at least half 50 percent shall meet the standards for short term parking outlined in Section 541.180(a)(1).
6. First floor or ground floor windows shall have clear or lightly tinted glass with a visible light transmittance ratio of six-tenths (0.6) or higher.
7. For the first floor commercial establishments, 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.
8. Decorative metal grills shall be installed within the parking garage window openings on 1st Avenue Northeast that allow for clear views in and out.

Attachments:

1. Applicant's project purpose and statement to the findings
2. City council and neighborhood notification
3. Public comments
4. Zoning map
5. Plan set: demolition plan, proposed site plan, landscape plan, aerials, photos, shadow study, floor plans and elevations, renderings, and master sign plan.