

**Department of Community Planning and Economic Development**  
Variances, Conditional Use Permit, and Site Plan Review  
BZZ-6010

**Date:** May 6, 2013

**Applicant:** Three24 LLC

**Addresses of Property:** 324 1<sup>st</sup> Street North

**Project Name:** 324 North 1<sup>st</sup> Street

**Contact Person and Phone:** Collin Kaas of Kaas Wilson Architects, (612) 879-6000

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

**Date Application Deemed Complete:** April 3, 2013

**End of 60-Day Decision Period:** June 2, 2013

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

**Existing Zoning:** C3A/Community Activity Center District, DH/Downtown Height Overlay District, DP/Downtown Parking Overlay District, and MR/Miss River Critical Area Overlay

**Proposed Zoning:** N/A

**Zoning Plate Number:** 13

**Lot Area:** 47,874 square feet or 1.11 acres

**Legal Description:** See attachments

**Proposed Use:** five-story apartment building with 140 units.

**Concurrent Review:** Collin Kaas, on behalf of Three24, has submitted the following applications:

- Variance to reduce the northeast interior side yard setback from 15 feet to 7 feet at the closest point.
- Variance to reduce the southeast interior side yard setback from 15 feet to 8.6 feet at the closest point.
- Conditional use permit to allow for an accessory parking lot that will accommodate 10 vehicles.
- Site Plan review application to allow a 140-unit apartment building.

**Applicable zoning code provisions:** Chapter 525, Article IX, Variances and Chapter 530 Site Plan Review.

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**Background:** The proposed project is a new five-story apartment building with 140 units. The unit mix would be 29 studios (21 percent), 57 one bedrooms (41%), 34 one bedrooms plus dens (24 percent), and 20 two bedrooms (14%). The u-shaped building would be built out to the 1<sup>st</sup> Street North and 4<sup>th</sup> Avenue North property lines and run parallel with the southeast property line.

The subject property is located within the Saint Anthony Falls Historic District. It was the site of the former Security Warehouse. The Security Warehouse was similar in design and scale to the other historic warehouses along the north side of 1<sup>st</sup> Street North. It was a six-story, Classical Revival style, brick warehouse with a raised basement. The warehouse, which was completed in 1890, was destroyed by a fire in 1986.

Between 1999 and 2002, the City Planning Commission and the Heritage Preservation Commission reviewed a few iterations for a redevelopment plan for 324 1<sup>st</sup> Street North. The applicant received the following land use approvals that have now lapsed:

- Conditional use permit to allow a mixed use building with 126 dwelling units, 5,000 square feet of commercial space.
- Conditional use permit to increase the height of the building from four stories to nine stories.
- Conditional use permit to allow a 23 stall surface parking lot in the Downtown Parking Overlay District.
- A variance to reduce the southwest side yard required side yard from 21 feet to five feet.

In 2002, the City Council provided heritage preservation commission approval for an eight-story building. The project was commonly referred to as The Reserve. In 2003, footing and foundation work started on the condominium project's two stories of underground parking. However, it was never completed and has sat in its present state for almost 10 years.

On August 16, 2012, the Heritage Preservation Commission (HPC) and City Planning Commission (CPC) completed a concept review of the 324 1<sup>st</sup> Street North apartment building project.

On April 2, 2013, the HPC approved the project with the following conditions:

1. By ordinance, approvals are valid for a period of two years from the date of the decision unless required permits are obtained and the action approval is substantially begun and proceeds in a continuous basis toward completion. Upon written request and for good cause, the planning director may grant up to a one year extension if the request is made in writing no later than April 2, 2015.
2. By ordinance, all approvals granted in this Certificate of Appropriateness shall remain in effect as long as all of the conditions and guarantees of such approvals are observed. Failure to comply with such conditions and guarantees shall constitute a violation of this Certificate of Appropriateness and may result in termination of the approval.
3. All glass must be clear, non-tinted, non-reflective glass. One coat of Low-E glazing is permitted on the interior surface of the windows.
4. Shrubs and grass plantings shall be allowed next to the building along 1st Street North with a landscaped edge wall.

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On July 7, 2012, the North Loop Neighborhood Association provided a letter of support for the project. On April 23, 2013, a neighbor wrote a letter expressing concerns about an additional rental unit in the area. Any additional correspondence received after the printing of this report will be forwarded on to the Planning Commission for consideration.

The following applications are required:

- Interior side yards are required where windows for the residences face the interior lot line. The minimum rear yard requirement is equal to  $5+2x$ , where  $x$  is equal to the number of stories above the first floor, but not to exceed 15 feet. Therefore, the northeast and southeast building walls are subject to a minimum yard requirement of 15 feet. The plans show that the northeast building wall would be set back 7 feet from the property line and that the southeast building would be setback 8.6 feet from the property line.
- A conditional use permit is required for an accessory parking lot in the DP/Downtown Parking Overlay District. The applicant is proposing to provide 10 surface parking stalls.
- Site plan review is required for any new use with 5 or more dwelling units.

**VARIANCES** – (1) Variance to reduce the northeast interior side yard setback from 15 feet to 7 feet at its closest point. (2) Variance to reduce the southeast interior side yard setback from 15 feet to 8.6 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 northeast interior side yard setback from 15 feet to 7 feet at the closest point:** A 15-foot setback is required along the interior property line shared with the townhomes. The applicant is proposing that the building be seven feet from the property line. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone. The subject property is triangularly shaped and the location of where the building is within seven feet of the northeast interior property line is the narrowest portion of the lot (when measuring the lot width parallel with 4<sup>th</sup> Avenue North). In addition, the property is unique in that it fronts a public street or public pathway (Cedar Lake Trail) on three of the four sides. The northeast interior lot line is the only side of the property not facing a public street or public pathway. It is also worth noting that the current proposal is setback two feet further from the property line compared to the redevelopment plan that was approved in 2002.

**Variance to reduce the southeast interior side yard setback from 15 feet to 8.6 feet at the closest point:** A 15-foot setback is required along the interior property line for the floors that contains windows for residential units (floors one through five). The parking garage portion of the project is not subject to the setback requirement. However, the entire building has a proposed setback of 8.6 feet at the closest point from the southeast interior side yard.

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Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone. The property is unique in that it fronts a public street or public pathway (Cedar Lake Trail along the southeast property line) on three of the four sides. In addition, the property is unique in that it has to comply with both heritage preservation and land use requirements. The proposed building was found to be in compliance with the heritage preservation regulations at the April 2, 2013 HPC meeting, in part because of its similar scale, massing, and footprint to the neighboring context and the former Security Warehouse. Similar to the proposed development, the Security Warehouse was built a close distance to the southeast property line. It is also worth noting that the current proposal is setback 3.5 feet further from the property line compared to the redevelopment plan that was approved in 2002.

**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.**

**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 northeast interior side yard setback from 15 feet to 7 feet at the closest point:** The proposal to reduce the setback for the building from 15 to 7 feet at the closest point along the northeast interior side yard 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. If approved, there will be 23 feet of separation between the new development and the townhomes to the northeast at its closest point. In addition, the proposed project maintains the required 15-foot setback for approximately 191 of the 267 linear feet (72 percent) of this property line.

**Variance to reduce the southeast interior side yard setback from 15 feet to 8.6 feet at the closest point:** The proposal to reduce the setback for the residential floors of the building from 15 to 8.6 feet at the closest point along the southeast interior side yard 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 subject property's southeast property line abuts a railroad trench and the Cedar Lake Trail. The tracks are located 23 feet from the building and approximately 60 feet from the Cedar Lake Trail, which is ample distance. In addition, the tracks and the Cedar Lake Trail are located well below the proposed residential units, which would be less injurious to the occupants of the residential units. Allowing windows at the proposed location will be beneficial to the Cedar Lake Trail and the railroad trench by providing more eyes on the street, which is a goal of the zoning ordinance and comprehensive plan in incorporating Crime Prevention Through Environmental Design (CPTED) elements into a project.

**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 northeast interior side yard setback from 15 feet to 7 feet at the closest point:** The granting of the variance to allow a reduction in the interior side yard setback requirement will not alter the essential character of the locality. The applicant has designed a multifamily residential building to fit in well with the neighboring multifamily buildings along 1<sup>st</sup> Street North and 4<sup>th</sup> Avenue North. The applicant has also proposed a residential building that is compatible with the Saint Anthony Falls Historic District in terms of design, materials, height, scale, and massing.

Granting of the variance will not be injurious to the use or enjoyment of other property in the vicinity or detrimental to the health, safety, or welfare of the general public. If approved, there will be 23 feet of separation between the new five-story development and the townhomes to the northeast. This is a greater distance than what was approved in 2002, when the eight-story building was approved to be five feet from the property line and 21 feet from the nearest townhomes.

**Variance to reduce the southeast interior side yard setback from 15 feet to 8.6 feet at the closest point:** The granting of the variance to allow a reduction in the interior side yard setback requirement due to the location of the residential windows will not alter the essential character of the locality. Historically, the Security Warehouse Building, which stood on this site for nearly 100 years, was built near the southeast property line. The applicant is proposing a multifamily residential building that will be a similar distance to the southeast property. In addition, the proposed development will complement the historic buildings in the Saint Anthony Falls Historic District along 1<sup>st</sup> Street North and the contemporary residential development to the north.

Granting of the variance will not be injurious to the use or enjoyment of other property in the vicinity or detrimental to the health, safety, or welfare of the general public. Having an active use at the subject property will be beneficial to the public safety of the area by providing more eyes on the railroad trench and the Cedar Lake Trail bike and pedestrian path. In addition, the residential units will be located a minimum of two stories above the railroad tracks, which will help with the health, safety, and welfare of the general public.

**CONDITIONAL USE PERMIT** – to allow for a surface parking lot in the DP (Downtown Parking) Overlay District.

**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.**

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Approving a conditional use permit to allow a 10-space surface parking lot in the DP Overlay District would not be detrimental to or endanger the public health, safety, comfort or general welfare. The applicant is proposing to provide 10 surface parking spaces for guests, future residents, management staff, and short term parking for residents. The accessory parking would be located in two areas; seven spaces would be located at the northern portion of the lot and three spaces would be located near the interior courtyard. With the location of the parking, the applicant has taken measures to maintain a safe route on the interior of the lot for pedestrians. The applicant has also taken measures to reduce the parking area's visibility by screening the parking area and locating it in the interior of the lot. In addition, the proposed 10 space surface parking lot is less than the 23 space parking lot parking that was approved for the 2002 redevelopment project for this site.

**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.**

Approving a conditional use permit to allow a 10-space surface parking lot in the DP Overlay District would not be injurious to the use and enjoyment of other property in the vicinity nor would it impede the normal or orderly development and improvement of surrounding property for uses permitted in the district. The proposed parking will reduce the demand for on-street parking while staying below the parking maximums for the development. As previously noted, the applicant has taken measures to reduce the visibility of the parking areas by locating them in the interior of the lot and screening them from the public street and the residential development to the north.

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

The applicant will continue to work closely with the Public Works Department, the Plan Review Section of the Inspections Department and the various utility companies during the duration of the development to ensure that all procedures are followed in order to comply with city and other applicable requirements. Although the accessory parking areas add additional impervious surfaces, the applicant has proposed measures to retain rainwater onsite including the development of a retention pond, permeable pavers, and additional landscaping than what is required by the zoning code.

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

Adequate measures have been provided in regard to minimizing traffic congestion from a parking perspective. The proposed surface parking will accommodate 10 vehicles for guests, future residents, management staff and short term parking for residents. By providing this parking on site, it will help reduce the demand for on-street parking and help minimize traffic congestion.

The applicant is meeting their minimum parking requirement for the residential development without exceeding the maximum allowed by the zoning code. The applicant is proposing 138 parking stalls for the 140 units. The minimum off-street parking requirement for this development is 126 spaces and the maximum allowed is 238 spaces. In addition, the applicant is exceeding their bicycle parking

requirement by providing bike racks that will accommodate 137 bicycles; the development requires bike parking for 70 bicycles.

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

The future land use map in *The Minneapolis Plan for Sustainable Growth* designates the site as urban neighborhood. According to the policies outlined in *The Minneapolis Plan for Sustainable Growth*, the following apply to this proposal:

Transportation Policy 2.8 states “Balance the demand for parking with objectives for improving the environment for transit, walking and bicycling, while supporting the city’s business community.”

Urban Design Policy 10.18 states “Reduce the visual impact of automobile parking facilities.” The policy includes the following applicable implementation steps: (10.18.1) “Require that parking lots meet or exceed the landscaping and screening requirements of the zoning code, especially along transit corridors, adjacent to residential areas, and areas of transition between land uses”; (10.18.3) “Locate parking lots to the rear of interior of the site”.

CPED finds that the proposed 10-space surface parking lot is in conformance with the above listed policies and implementation steps 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 conditional use permit, variances and site plan review this development would meet the applicable regulations of the C3A/Community Activity Center, DH/Downtown Height Overlay District, the MR/Mississippi River Critical Area Overlay District, and the DP (Downtown Parking) Overlay District.

For surface parking lots in the DP Overlay District, section 551.760 states that 1) the parking lot shall be located on the same zoning lot as the principal use served 2) the number of parking spaces shall not exceed 20 spaces. The proposed surface parking area will meet both of these requirements.

**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 1st Street North, 4th Avenue North, and the Cedar Lake Trail will reinforce the street wall, maximize natural surveillance, and visibility of the streets and public pathways. The placement of the building will facilitate pedestrian access and circulation with the building's main entrances near the 1<sup>st</sup> Street North and 4<sup>th</sup> Avenue property lines. The secondary building entrances on the interior portions of the site are connected to the sidewalk on 4<sup>th</sup> Avenue North with a dedicated walkway that will provide a safe and separated route.
- The area between the building and the street will have amenities including landscaping, planting areas, and street trees.

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- The building is oriented so that one principal entrance faces the public street. The principal residential entrance is on 1st Street North. The 4<sup>th</sup> Avenue North elevation has separate entrances to the four individual units and an additional entrance to the apartment building.
- The project includes two floors of underground parking that will provide parking for 138 vehicles. The project also proposes to have 10 surface parking spaces at the rear of the site.
- The building walls provide architectural details such as recessed balconies, horizontal banding that contrasts the main brick colors, and horizontal metal canopies over the main building entries. The proposed building also contains windows in compliance with Chapter 530, which will create visual interest and increase security of adjacent outdoor spaces by maximizing natural surveillance and visibility, in particular along the rail corridor and Cedar Lake Trail.
- The proposal includes efforts to divide the building into smaller identifiable sections. Confining the apartment building to half of the block face on 1<sup>st</sup> Street North and 4<sup>th</sup> Avenue North helps reduce the size and feel of the building (compared to a block long development). In addition, the building effectively uses recesses and projections. The use of recessed balconies along 1<sup>st</sup> Street North and most of 4<sup>th</sup> Avenue North helps the building relate to the neighboring historic warehouses that do not typically have projections from the main plane.
- The only portion of the building that does not have windows, entries, recesses, or projections for 25 feet in length are portions of the exposed parking garage along 4<sup>th</sup> Avenue North, the interior courtyard (northeast elevation), and the rail corridor (southeast elevation). For these segments, the applicant has requested alternative compliance by using extra plantings, landscaping, and trees to help break up the blank walls.
- The primary exterior material of the building is brick. The secondary materials are metal panel and cement board. The applicant has confined the use of cement board panels to a portion of the secondary elevation (northeast elevation).
- The proposed project is unique in that it has three primary elevations, 1<sup>st</sup> Street North, 4<sup>th</sup> Avenue North and the southeast elevation along the Cedar Lake Trail. For the primary elevations, the applicant is proposing to generally use brick on floors one through four and metal panels on the fifth floor; some bays have metal panels extending to the second floor. The exposed portions of the parking garage will be a rock face concrete block in a color similar to the brick on the stories above. On the northeast elevation, the only side elevation, the applicant is proposing to use similar exterior materials and have a compatible appearance to that of the primary elevations. The applicant is using brick on the entire first floor of northeast elevation. On the outer portions of the northeast elevation, the applicant uses brick on at least three floors. The bays nearest 4<sup>th</sup> Avenue North and the railroad trench have brick extended to the fourth floor and metal panels on the top floor to continue the exterior treatment of the primary elevations. Within the courtyard area, the applicant is proposing to use cement fiber board panels on the upper floors. When evaluating the entire northeast elevation, the applicant has limited the use of cement board panels to 31 percent. If the project is approved and exterior material changes are proposed, it will be evaluated on whether it is a major or minor alteration from both a preservation and land use standpoint.
- The project does not propose to use plain face concrete block. Instead, the applicant is using a dark colored, rock face concrete block that will complement the masonry color above. In addition, the applicant is proposing light horizontal banding within the concrete masonry units (CMU) to help break up the material and complement the horizontal banding on the upper floors.

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- The principal entrances on 1<sup>st</sup> Street North and 4<sup>th</sup> Avenue North are clearly defined through the use of projecting metal canopies. The entrances to the individual units on the 4<sup>th</sup> Avenue North elevation are also well defined with the walkup staircases.
- The proposed building meets the window requirements on all floors in terms of percentages and orientation. At least 20 percent of the first floor walls, measured between two and 10 feet above the adjacent grade, are required to be windows on elevations that face a public street, public sidewalk, public pathway, or on-site parking lot. The 1<sup>st</sup> Street North and the 4<sup>th</sup> Avenue North elevations face a public street and the northeast elevation faces the Cedar Lake Trail. The first floor along 1<sup>st</sup> Street North has 41 percent window coverage, the first floor along 4<sup>th</sup> Avenue North elevation has 48 percent, and the 1<sup>st</sup> floor of the railroad corridor elevation has 46 percent. The upper floors along the 1<sup>st</sup> Street North, 4<sup>th</sup> Avenue North, and the railroad corridor are required to have at least 10 percent of the walls be windows. The upper floors on these elevations will have a minimum of 32 percent window coverage. All of the windows are distributed in a more or less even manner.
- The entire building's first floor along 1<sup>st</sup> Street North, 4<sup>th</sup> Avenue North, and the northeast elevation will be an active function (living space or lobby).
- The applicant is proposing a flat roof, which is similar to the surrounding buildings.
- The sloped floors of the parking garage will not be visible from the exterior.

**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 on 1<sup>st</sup> Street North and 4<sup>th</sup> Avenue North would exit onto the public sidewalk. The secondary entrances in the interior courtyard will be connected to the public sidewalk by a walkway that is six feet in width.
- 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 secondary entrances and exits in the courtyard are proposed to have a walkway that will protect pedestrians from vehicle traffic and lead to a public sidewalk.
- The site plan minimizes the use of impervious surfaces. The applicant is proposing to have 26 percent of the site not occupied by buildings landscaped with trees, shrubs, plantings and grasses, which exceeds the 20 percent minimum requirement.

**LANDSCAPING AND SCREENING:**

- **The composition and location of landscaped areas shall complement the scale of the development and its surroundings.**

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- **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 the proposed landscaped areas complement the scale of the development and its surroundings. The landscaping along 1<sup>st</sup> Street North will reinforce the private spaces of the residential development on the first floor and help meet North Loop neighborhood goals of additional green space in the public right-of-way. The landscaping proposed along 4<sup>th</sup> Avenue North will help blend the new development with the lower density residential closer to the north that has landscaped yards in the front.
- Chapter 530 of the zoning code requires that at least 20 percent of the site not occupied by a building be landscaped. The lot area of the project site is 47,874 square feet. The building footprint is 29,630 square feet. The lot area minus the building footprint is 18,244 square feet. At least 20 percent of the net site area, 3,649 square feet must be landscaped. The applicant is proposing that 26 percent or 4,791 square feet of the site not occupied by a building be landscaped with trees, shrubs, plantings and grasses. As outlined in section 530.160, the tree requirement is to provide at least one canopy tree for every 500 square feet of required landscaping, or fraction thereof. The applicant is required to provide eight canopy trees. They are

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proposing to provide 24 canopy trees on site and an additional 15 trees within the public right-of-way. Section 530.160 also requires that not less than one shrub be required for each 100 square feet of required landscaped area. Therefore, the applicant is required to provide 37 shrubs. The applicant is proposing to provide 74 shrubs on site and an additional 26 shrubs in the public right-of-way. The remainders of the landscaped areas will be covered with turf grass, native grasses or other perennial flowering plants.

- The applicant is proposing seven parking spaces at the northwest end of 4<sup>th</sup> Avenue North. Per section 530.170 of the site plan review chapter, screening consisting of a masonry wall, fence, berm or hedge or combination thereof that forms a screen three feet in height and not less than sixty percent opaque is required fronting a public street. Along 4<sup>th</sup> Avenue North, the applicant is proposing plantings and grasses that will not meet the 60 percent opacity requirement for the entire year. As a condition of approval, the applicant shall provide landscaping that meets the three-foot height and 60 percent opacity requirements. Section 530.170 also requires that not less than one tree shall be provided for each twenty-five linear feet or fraction thereof of parking or loading area lot frontage. The proposed project has 18 linear feet of parking along 4<sup>th</sup> Avenue North, and therefore requires one tree. The applicant is not proposing a tree on their property to screen the parking. As alternative compliance, the applicant is proposing a tree within the boulevard to screen the parking from the street and be consistent with their planting plan along 4<sup>th</sup> Avenue North. Along the northeast property line that is shared with the townhome development, the applicant is required to provide screening that is 95 percent opaque for the surface parking spaces. At this location the applicant is proposing a techny arborvitae hedge that will grow to seven feet in height and meet the opacity requirement.
- For the seven space surface parking lot, the applicant is required to provide a seven foot wide landscape yard between the parking area and the 4<sup>th</sup> Avenue property line. The applicant is proposing a 20 foot wide landscaped yard at this location. A landscaped yard of at least seven feet is also required along the northeast property line shared with the townhomes. The applicant is proposing a landscaped yard that ranges from a minimum of six feet and expands to 28 feet. As a condition of approval, the applicant shall provide a landscaped yard with a minimum width of seven feet between the parking lot and the northeast property line.
- The corner of the proposed surface parking area will have a retention pond.
- There are two surface parking areas; a parking area for seven vehicles and a smaller parking area near the building that will accommodate three vehicles. Since these parking areas have less than 10 spaces they are not required to be located within 50 feet of an on-site deciduous tree.
- The 4,791 square feet of landscaping will be covered by turf grasses, native grasses, or other perennial flowering plants, vines, mulch, shrubs or trees. As conditioned, the installation and maintenance of all landscaped materials shall comply with the standards outlined in section 530.210.

**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:**

- The applicant is proposing to provide on-site retention with a retention pond at the northwest portion of the lot.
- The site plan minimizes the blocking of views of important elements of the city. The proposed five-story building is comparable in height to the six-story Security Warehouse Building that was on this for almost 100 years and shorter than the eight-story building that was approved by the City Council in 2002. In addition, the shorter building that is proposed today helps minimize the shadows onto the neighboring townhomes to the north.
- The impact of wind currents at ground level should not be an issue with the proposed building.
- The site plan includes crime prevention design elements including natural surveillance of the site and adjacent properties, territorial reinforcement with plantings and shrubs, 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. The Security Warehouse, which was a contributing resource to the Saint Anthony Falls Historic District, was destroyed in a fire in 1986. However, the development is proposing to maintain the view corridor of the spur line that ran parallel with 1<sup>st</sup> Street North by providing an interpretation of its extent with the use of permeable pavers.

**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 multifamily dwelling is a permitted use in the C3A zoning district.

**Parking and Loading:**

**Minimum automobile parking requirement:** Per Table 541-1, the base minimum parking requirement for a multiple-family building is one space per dwelling unit. A total of 140 dwelling

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units are proposed. Therefore, 140 parking spaces are required. However, the proposed project is in the Downtown Parking (DP) Overlay district, which reduces the minimum requirement. Residential dwellings in the DP overlay are required to provide a minimum of 90 percent of the number of spaces specified in Table 541-1, which is 126 spaces for the proposed development. The applicant is proposing to provide 138 parking spaces for the residential units in the two floors of underground parking.

In addition, multiple-family dwellings of fifty or more units that provide off-street parking for residents shall also provide designated visitor parking at a ratio of not less than one visitor space per 50 dwellings. With this requirement, the proposed development is required to provide three dedicated off-street parking space. The applicant is proposing 10 off-street surface parking spaces for visitors, future residents, management staff, and short term parking for residents.

**Maximum automobile parking requirement:** Table 541-1 does not have a maximum parking allowance for residential development. However, Section 551.765 in the Downtown Parking Overlay District states that development projects with ten or more dwelling units shall provide no more than 1.7 spaces per unit. This would set the maximum parking allowance for the new 140-unit development at 238 spaces. The proposed apartment building is proposing to provide 148 off-street parking spaces.

**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 minimum requirement for the proposed development is 70 spaces, of which at least 63 bike parking spaces must meet the long-term parking requirements. The applicant is proposing to provide 137 bicycle parking spaces within the below-grade parking garage that meet the long-term standards.

**Loading:** 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 exclusive of aisle and maneuvering space. The applicant is proposing a loading space that is 10 feet by 25 feet in the driveway that is outside of the drive aisle and maneuvering area.

**Maximum Floor Area:** The proposed project is below the maximum floor area ratio allowance. The maximum floor area ratio in the C3A Zoning District is 2.7. However, the project is also located in the Downtown Height Overlay District, which increases the allowable maximum floor area ratio to 4.0 (Section 551.860). The gross floor area of the non-parking portion of the building is 129,957 square feet; floors one through four are each 26,168 square feet and the fifth floor is 25,285 square feet. The development site has 47,874 square feet. Therefore, the development has a floor area ratio of 2.7.

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**Height:** The proposed development meets the zoning code requirements for height. The maximum height for a multifamily building in the C3A Zoning District is four stories or 56 feet, whichever is less. However, the project is also located in the Downtown Height Overlay District which increases the allowable height to six stories or 85 feet, whichever is less (Section 551.840). The apartment building is proposed to have a height of five stories and be 60 feet in height measured from 1<sup>st</sup> Street North.

**Minimum Lot Area:** The proposed development meets the minimum lot area requirement. The minimum lot area requirement in the C3A district is 400 square feet per dwelling unit. Therefore, the 47,874 square foot development site is allowed to have 119 units. Since the proposed development is providing all required parking within the building, the applicant is allowed to increase the maximum number of dwelling units by 20 percent (Section 548.130). With the bonus of 23 additional units, the project site is able to have up to 142 residential units (337 square feet per unit). The applicant is proposing 140 residential units (342 square feet per unit).

**Dwelling Units per Acre:** With 140 dwelling units on a site having 47,874 square feet of lot area (1.10 acres), the proposal would include approximately 127 dwelling units per acre.

**Yard Requirements:** Front – (adjacent to 1<sup>st</sup> Street North and 4<sup>th</sup> Avenue North)  
Interior side yard along the northeast and southeast property lines is 15 feet because it has windows facing the interior lot line (Table 548-3).

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

**Signs:** The applicant's sign proposal meets the Chapter 543 requirements. Table 543-1 states that multiple family dwellings with five or more units on a lot of 43,560 square feet or more are allowed one wall identification sign not exceeding 48 square feet. Per Table 543-1, the maximum height of a sign is allowed to be 14 feet or to the top of wall, whichever is less. The applicant is proposing one sign for the apartment project. The sign would be attached to the metal canopy along 1<sup>st</sup> Street North, which is evaluated as a wall sign. It is proposed to be 24 square foot in area (13'x1.5') and be located 12 feet in height at its tallest point. The sign is proposed to read the name of the building, currently set as "Three 24". The sign will be internally illuminated. The metal letters are proposed to be lit with concealed LEDs on the back which will providing a subtle "halo" effect.

**Dumpster Screening:** The building's main refuse and recycling areas will be located inside of the building on the first floor of the garage.

**Lighting:** A photometric plan was 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.

**Mississippi River Critical Area Overlay District:** Additional zoning requirements are not required due to the project's location in the MR/ Mississippi River Critical Area Overlay District. The proposed development is located 800 feet from the Mississippi River. Per section 551.680, development within 300 feet of the Mississippi River is required to comply with the shoreland overlay requirements. The

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proposed development is also not developing on a bluff or within 40 feet of the top of a bluff, which eliminates the project's needs to comply with the requirements outlined in section 551.700.

**MINNEAPOLIS PLAN:** According to *The Minneapolis Plan for Sustainable Growth*, the project site is designated as urban neighborhood. Urban neighborhoods are defined, as residential area with a range of densities, with highest density to be concentrated around identified nodes and corridors. Although 1<sup>st</sup> Street North or 4<sup>th</sup> Avenue North is not an identified node or corridor, the development site is within a community activity center zoning district and the scale, massing, and density is compatible with the surrounding area, in particular along 1<sup>st</sup> Street North.

The proposed project and site plan review is consistent with the following land use, house, heritage preservation, and urban design policies of the *Minneapolis Plan for Sustainable Growth*.

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.

Land Use Policy 1.3: Ensure that development plans incorporate appropriate transportation access and facilities, particularly for bicycle, pedestrian, and transit. (1.3.1) Require safe, convenient, and direct pedestrian connections between principal building entrances and the public right-of-way in all new development and, where practical, in conjunction with renovation and expansion of existing buildings.

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.

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

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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.

Heritage Preservation Policy 8.1: Preserve, maintain, and designate districts, landmarks, and historic resources which serve as reminders of the city's architecture, history, and culture. (8.1.2) Require new construction in historic districts to be compatible with the historic fabric.

Heritage Preservation Policy 8.5: Recognize and preserve the important influence of landscape on the cultural identity of Minneapolis. (8.5.1) Identify and protect important historic and cultural landscapes.

Policy 10.4: Support the development of residential dwellings that are of high quality design and compatible with surrounding development. (10.4.1) Maintain and strengthen the architectural character of the city's various residential neighborhoods. (10.4.2) Promote the development of new housing that is compatible with existing development in the area and the best of the city's existing housing stock.

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

Urban Design Policy 10.6: New multi-family development or renovation should be designed in terms of traditional urban building form with pedestrian scale design features at the street level. (10.6.4) 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 10.18: 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).

**SMALL AREA PLAN MINNEAPOLIS PLAN:** The applicant's proposal is in compliance with the following North Loop Small Area Plan principles:

- Enhanced pedestrian safety, function, and aesthetic character in public rights-of-way encourage walking, particularly on roads.
- Integration of transportation and land use planning that encourages and supports movement by public transit, bicycle, and walking as viable alternatives to the private automobile make the North Loop a desirable place to be.
- The North Loop benefits from a wide range of public and private sector stakeholders that work toward the common goal of creating unique urban identity for the neighborhood. Connecting to major destinations.
- Historic character of the private and public realm is highly valued by residents, employees, and visitors of the North Loop Neighborhood.

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- The unique uses and built form of Downtown neighborhoods require a specialized regulatory environment that supports the historic character of the area while acknowledging the need for adaptive reuse and context sensitive design in redevelopment.
- The site is in the “Residential Enclave” land use district, so the proposed residential use maintains the residential character and is in keeping with the plan.

**ALTERNATIVE COMPLIANCE:**

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

**CPED RESPONSE:**

The applicant’s proposal requires alternative compliance for having walls without windows, entries, recesses or projections for more than 25 feet in length and for not having tree screening of parking lot frontage along a street.

Blank, uninterrupted walls that do not include windows, entries, recesses or projections or other architectural elements that exceed 25 feet in length: The only portions of the building that does not have windows, entries, recesses, or projections for 25 feet in length are portions of the exposed parking garage. Those sections are as follows:

- Northwest elevation (4<sup>th</sup> Avenue North): The northwestern portion has a 32-foot blank wall to the left of the building entrance.
- Northeast elevation
  - The interior courtyard (northeast elevation) has a 29-foot blank wall to the right of the garage door closest to 4<sup>th</sup> Avenue North (Sheet A501, Exterior Elevation 2).
  - The western portion of the courtyard has a 68-foot blank wall (Sheet A502, Exterior Elevation 5).
  - The eastern portion of the courtyard has a 28-foot blank wall (Sheet A502, Exterior Elevation 7).

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- The portion nearest the railroad tracks facing the townhomes has a 78-foot blank wall (Sheet A501, Exterior Elevation 1).
- Southeast elevation (railroad trench):
  - The portion between the second and third set of windows (from the north) has a 35-foot blank wall.
  - The portion between the third and fourth set of windows (from the north) has a 28-foot blank wall.

For these segments, the applicant has requested alternative compliance by planting trees and shrubs next to the building and by incorporating horizontal banding of a lighter color rockface CMU that compliments the material design on the floors above. The combination of these efforts will help reduce the negative impact of the blank walls. CPED recommends the Planning Commission grant approval of the requested alternative compliance for blank uninterrupted walls with the applicant's proposal.

*Not less than one tree shall be provided for each twenty-five (25) linear feet or fraction thereof of parking or loading area lot frontage.* The applicant has requested alternative compliance by planting a tree within the boulevard in front of the parking. The proposed location will help screen the parking area and maintain a consistent tree planting boulevard along 4<sup>th</sup> Avenue North. CPED recommends the Planning Commission grant approval of the requested alternative compliance for tree screening of parking lot frontage with the applicant's proposal.

**RECOMMENDATIONS:**

**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 northeast interior side yard from 15 feet to 7 feet at the closest point for the property located at 324 1<sup>st</sup> Street North.

**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 southeast interior side yard from 15 feet to 8.6 feet at the closest point for the property located at 324 1<sup>st</sup> Street North.

**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 Planning Commission adopt the above findings and **approve** the application for a conditional use permit to allow 10 surface parking stalls on the premises for a new multifamily dwelling located in the C3A/Community Activity Center District and DP (Downtown Parking) Overlay District, on the property located at 324 1<sup>st</sup> Street North subject to the following condition of approval:

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1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within one year of approval.

**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 five-story apartment building with 140 units located at 324 1<sup>st</sup> Street North subject to the following conditions:

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 6, 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. Landscaping that is required for the surface parking lot along 4<sup>th</sup> Avenue North shall meet the three-foot height and sixty percent opacity requirements. The landscaped yard that is required for the surface parking lot between the parking lot and the northeast property line shall be a minimum of seven feet in width. The installation and maintenance of all landscaped materials shall comply with the standards outlined in section 530.210.

**Attachments:**

1. Applicant's project purpose and statement to the findings
2. City council and neighborhood notification
3. Property description
4. Public comments: North Loop Neighborhood Association letter and resident
5. Zoning map
6. Plan set: survey, demolition, grading, utility, paving, planting, site plan, floor plans, elevations, lighting, shadow study, images, renderings.