

Department of Community Planning and Economic Development
Variances and Site Plan Review
BZZ-6000

Date: May 6, 2013

Applicant: CommonBond Communities

Address of Property: 1926-2022 West Broadway

Project Name: West Broadway Crescent

Contact Person and Phone: Jen Oscarson, CommonBond Communities (651) 290-6252

CPED Staff and Phone: Janelle Widmeier, (612) 673-3156

Date Application Deemed Complete: April 9, 2013

End of 60-Day Decision Period: June 8, 2013

Ward: 5 Neighborhood Organization: Jordan Area Community Council (adjacent to Northside Residents Redevelopment Council)

Existing Zoning: R5 Multiple-family District

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 7

Legal Description: Not applicable for this application

Proposed Use: Multiple-family dwelling with 54 units

Concurrent Review:

- Variance to reduce the front yard requirement adjacent to West Broadway to allow bicycle parking and a pocket park.
- Variance to reduce the established front yard requirement adjacent to Logan Avenue North from 27 feet to approximately 15 feet to allow play equipment and the building.
- Site plan review.

Applicable zoning code provisions: Chapter 525, Article IX Variances, specifically section 525.520 (1) “To vary the yard requirements, including permitting obstructions into required yards not allowed by the applicable regulations”; and Chapter 530 Site Plan Review.

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Background: The applicant is proposing to build a 3-story multiple-family dwelling with 54 dwelling units located at the property of 1926-2022 West Broadway. The site is currently vacant. Site plan review is required for any development with five or more dwelling units.

On the subject site, a front yard is required along West Broadway and Logan Avenue North. In the R5 district, the minimum front yard requirement is 15 feet or the established setback of the adjacent residential structure, whichever is greater. No other residential structures are located on the West Broadway block face; therefore, the minimum front yard required for the subject property is the district requirement of 15 feet. The building would be set back 15 feet or more from the front lot line. Walkways, stairs, bicycle parking and a pocket park would be located in the required front yard. Walkways and stairs not exceeding 6 feet in width are permitted obstructions. Bicycle parking and a pocket park are not permitted obstructions. To allow them, a variance is required. The dwelling located to the north is set back 27 feet from the lot line adjacent to Logan Avenue North; therefore, the minimum front yard required for the subject property is also 27 feet. The Logan Avenue North front yard requirement applies to approximately the first 100 feet of the site, as measured from the north lot line. Part of the building and tot lot would be located closer than 27 feet from the front lot line. Playground equipment is not a permitted obstruction. A variance is required to reduce the yard requirement.

Correspondence from the neighborhood group, Jordan Area Community Council, and the business association, West Broadway Business and Area Coalition, was received and is attached to this report. Staff will forward any additional comments, if any are received, at the City Planning Commission meeting.

VARIANCE: To reduce the front yard requirement adjacent to West Broadway to allow bicycle parking and a pocket park.

Findings as required by the Minneapolis Zoning Code:

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

The minimum front yard requirement along West Broadway is the district requirement of 15 feet. Bicycle parking and a pocket park are not permitted obstructions in a required front yard. The 8 bicycle racks would be located adjacent to the walkways leading to the main entrance and a secondary entrance for residences near the transit shelter. The pocket park would be located at the south end of the site with 40 feet of frontage on West Broadway. Less than half of the pocket park extends into the required front yard. Adopted City policies support making available alternate forms of transportation and creating public open spaces. The small area plan for this area, *West Broadway Alive*, specifically calls for the greening of West Broadway in order to create points of interest, provide environmental benefits, and expand the visual landscape. If the bicycle parking and pocket park were to be located outside of the required front yard, they would be less effective in implementing these policies.

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

In general, yard controls are established to provide for the orderly development and use of land and to minimize conflicts among land uses by regulating the dimension and use of yards in order to provide adequate light, air, open space and separation of uses. The front yard along West Broadway frontage of approximately 450 feet would be largely unobstructed. The 8 bicycle parking racks would be located adjacent to entrances with a fair distance between them and adjacent uses. Also, the pocket park would be separated from future development to the south by landscaping and an alley. Adopted City policies support making available alternate forms of transportation and creating public open spaces. The small area plan for this area, *West Broadway Alive*, specifically calls for the greening of West Broadway in order to create points of interest, provide environmental benefits, and expand the visual landscape. For these reasons, the request is reasonable and is in keeping with the spirit and intent of the ordinance and the comprehensive plan.

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

The front yard along the West Broadway frontage of approximately 450 feet would be largely unobstructed. The 8 bicycle racks would be located adjacent to entrances with a fair distance between them and adjacent uses. Also, the pocket park would be separated from future development to the south by landscaping and an alley. The pocket park will contain an elevated seating area, public art and landscaping. Granting of the variance would have little effect on surrounding properties and would not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

VARIANCE: To reduce the established front yard requirement adjacent to Logan Avenue North from 27 feet to approximately 15 feet to allow play equipment and the building.

Findings as required by the Minneapolis Zoning Code:

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

In the R5 district, the minimum front yard requirement is 15 feet or the established setback of the adjacent residential structure, whichever is greater. The dwelling located to the north is set back 27 feet from the lot line adjacent to Logan Avenue North; therefore, the minimum front yard required for the subject property is also 27 feet. The Logan Avenue North front yard requirement applies to approximately the first 100 feet of the site, as measured from the north lot line. Part of the building, occupied by the Advantage Services Center, and tot lot with play equipment would be located closer than 27 feet from the front lot line. Playground equipment and the building are not permitted obstructions.

The site is an odd-shaped, reverse corner lot. The building and tot lot would be set back 15 feet from the front lot line. Only a 15 foot front yard is required along West Broadway. Because of the site's odd shape, the transition between the Logan Avenue front yard and the West Broadway front yard is practically indistinguishable. The program needs for the Advantage Services Center requires the tot lot to be in close proximity to that area of the building. These uses could be moved out of the required front yard, but would affect the placement of the entire building. Shifting the building further from West Broadway is contrary to adopted policies that support locating active uses along this corridor and would result in grading issues for accessing the enclosed parking.

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

In general, yard controls are established to provide for the orderly development and use of land and to minimize conflicts among land uses by regulating the dimension and use of yards in order to provide adequate light, air, open space and separation of uses. The variance is requested to allow a one-story part of the building and play equipment to extend into the required front yard. Both obstructions would maintain the district front yard setback of 15 feet and would be located more than 60 feet from the residence to the north. The site is an odd-shaped, reverse corner lot. Only a 15 foot front yard is required along West Broadway. Because of the site's odd shape, the transition between the Logan Avenue front yard and the West Broadway front yard is practically indistinguishable. For these reasons, the request is reasonable and is in keeping with the spirit and intent of the ordinance and the comprehensive plan.

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

The variance is requested to allow a one-story part of the building and play equipment to extend into the required front yard. Both obstructions would maintain the district front yard setback of 15 feet and would be located more than 60 feet from the residence to the north. The southern boundary of the West Broadway and Penn Avenue North commercial node is located just north of Logan Avenue where the commercial zoning does not require any setback adjacent to West Broadway. The setback of the proposed development would provide a gradual transition to the commercial node. Granting of the variance should have little effect on surrounding properties and would not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

SITE PLAN REVIEW

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

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

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

Section A: Conformance with Chapter 530 of the Zoning Code

BUILDING PLACEMENT AND DESIGN:

- Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.
- First floor of the building shall be located not more than eight (8) feet from the front lot line (except in C3S District or where a greater yard is required by the zoning ordinance). If located on corner lot, the building wall abutting each street shall be subject to this requirement.
- The area between the building and the lot line shall include amenities.
- The building shall be oriented so that at least one (1) principal entrance faces the public street. In the case of a corner lot, the principal entrance shall face the front lot line.
- Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.
- For new construction, the building walls shall provide architectural detail and shall contain windows as required by Chapter 530 in order to create visual interest and to increase security of adjacent outdoor spaces by maximizing natural surveillance and visibility.
- In larger buildings, architectural elements, including recesses or projections, windows and entries, shall be emphasized to divide the building into smaller identifiable sections.
- 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.

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- f. **Industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, may provide less than thirty (30) percent windows on the walls that face an on-site parking lot, provided the parking lot is not located between the building and a public street, public sidewalk or public pathway.**
- g. **In multiple tenant buildings, each individual ground level tenant space that faces a public street, public sidewalk, public pathway, or on-site parking lot shall comply with the minimum window requirements of this section.**

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

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

Conformance with above requirements:

- The minimum front yard requirement adjacent to West Broadway is 15 feet. The building would comply with this requirement. The minimum front yard requirement adjacent to Logan Avenue North is 27 feet. The building would be set back 15 feet or more from West Broadway and Logan Avenue. The applicant is requesting a variance to reduce the Logan Avenue front yard requirement to allow the building.
- The areas between the building and the adjacent streets would be landscaped.
- The principal entrance would face West Broadway.
- All parking would be enclosed within the building.
- The building would include recesses and projections and other architectural elements, such as change in materials, windows and varying roof lines, to divide the building into smaller identifiable sections.
- There would not be any blank, uninterrupted walls that do not include windows, entries, recesses or projections or other architectural elements that exceed 25 feet in length.
- The primary exterior materials would be durable and include brick, metal panels, fiber cement panels, stucco, glass, and rock face concrete masonry units. The fiber cement panels would not exceed 30 percent of any one building elevation. Please note that exterior material changes at a later date would require review by the Planning Commission and an amendment to the site plan review.
- All sides of the building would be similar to and compatible with each other.
- Plain face concrete block would not be used as a primary exterior building material on a wall fronting a street.
- The front principal entrance would be flanked by windows and sheltered to emphasize its importance. A second entrance facing West Broadway is also provided for residents. With the long West Broadway frontage, the applicant is encouraged to provide individual entrances for ground floor units.
- The first floor walls facing West Broadway and Logan Avenue North are subject to the minimum window requirements. Measured between 2 and 10 feet above the adjacent grade, more than 30 percent of each wall would be windows.

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- Each wall above the first floor facing West Broadway and Logan Avenue North is subject to the 10 percent window requirement. The amount of windows proposed on the wall facing Logan Avenue is 18 percent and the amount of windows proposed on the wall facing West Broadway is 31 percent.
- All windows included in the above calculations are vertical in proportion and distributed in a more or less even manner.
- More than 70 percent of the linear frontage of each of the ground floor building walls facing each street would accommodate spaces with active functions.
- A flat roof is proposed on the building. The buildings in the immediate area have various roof forms and pitches. A flat roof is typical of buildings with frontage on West Broadway.

ACCESS AND CIRCULATION:

- Clear and well-lighted walkways of at least four (4) feet in width shall connect building entrances to the adjacent public sidewalk and to any parking facilities located on the site.
- Transit shelters shall be well lighted, weather protected and shall be placed in locations that promote security.
- Vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and surrounding residential uses.
- Traffic shall be directed to minimize impact upon residential properties and shall be subject to section 530.150 (b) related to alley access.
- Site plans shall minimize the use of impervious surfaces.

Conformance with above requirements:

- A well-lit walkway 6 feet in width would connect the West Broadway public sidewalk to the main entrance.
- A transit shelter is proposed at the existing transit stop location at the Logan Avenue and West Broadway intersection. The shelter would be located next to an existing street light. An abundant amount of windows on that end of the building will promote security.
- Vehicle access would be from the abutting alleys on the north and south ends of the subject property, minimizing vehicle and pedestrian conflicts. All circulation would occur on-site.
- All parking would be enclosed in the building. The amount of impervious surface proposed for the driveways is not excessive.

LANDSCAPING AND SCREENING:

- The composition and location of landscaped areas shall complement the scale of the development and its surroundings.
 - Not less than twenty (20) percent of the site not occupied by buildings, including all required landscaped yards, shall be landscaped as specified in section 530.160 (a).
- Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.
- Except as otherwise provided, required screening shall be at least ninety-five (95) percent opaque throughout the year.
- Screening shall be satisfied by one or a combination of the following:
 - A decorative fence.
 - A masonry wall.
 - A hedge.
- Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.170 (b), including providing landscape yards along a public street, public sidewalk or public pathway and abutting or across an alley from a residence or office residence district, or any permitted or conditional residential use.

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- The corners of parking lots where rows of parking spaces leave areas unavailable for parking or vehicular circulation shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks or bicycle parking.
- In parking lots of ten (10) spaces or more, no parking space shall be located more than fifty (50) feet from the center of an on-site deciduous tree. Tree islands located within the interior of a parking lot shall have a minimum width of seven (7) feet in any direction.
- All other areas not governed by sections 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.
- Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.210.
- The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.80, as provided in section 530.220.

Conformance with above requirements:

- The zoning code requires that a least 20 percent of the site not occupied by buildings be landscaped. The lot area of the site is approximately 75,199 square feet. The building footprint would be approximately 36,694 square feet. The lot area minus the building footprint therefore consists of approximately 38,505 square feet. At least 20 percent of the net site area (7,701 square feet) must be landscaped. Approximately 32,484 square feet of the site would be landscaped. That is equal to 84.4 percent of the net lot area.
- The zoning code requires at least one canopy tree for each 500 square feet of required green space and at least one shrub for each 100 square feet of required green space. The tree and shrub requirement for this site is 16 and 77 respectively. A total of 47 canopy trees and 259 shrubs are proposed on-site.
- The remainder of the landscaped area would be covered with deciduous trees, ornamental trees, perennials, ornamental grasses, sod, and wood mulch.

ADDITIONAL STANDARDS:

- All parking lots and driveways shall be designed with wheel stops or discontinuous curbing to provide on-site retention and filtration of stormwater. Where on-site retention and filtration is not practical, the parking lot shall be defined by six (6) inch by six (6) inch continuous concrete curb.
- To the extent practical, site plans shall minimize the blocking of views of important elements of the city.
- To the extent practical, buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.
- To the extent practical, buildings shall be located and arranged to minimize the generation of wind currents at ground level.
- Site plans shall include crime prevention design elements as specified in section 530.260 related to:
 - Natural surveillance and visibility
 - Lighting levels
 - Territorial reinforcement and space delineation
 - Natural access control
- To the extent practical, site plans shall include the rehabilitation and integration of locally designated historic structures or structures that have been determined to be eligible to be locally designated. Where rehabilitation is not feasible, the development shall include the reuse of significant features of historic buildings.

Conformance with above requirements:

- Six inch by six inch concrete curbing is proposed for the driveways. With the grades needed to access the enclosed parking, on-site retention of the stormwater runoff from the driveways is not practical.

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- The proposed building would not impede views of important elements of the city.
- To the extent practical, the building would be located and arranged to minimize shadowing on public spaces and adjacent properties.
- The building is designed with recesses and projections to minimize the generation of wind currents at the ground level.
- The development includes some environmental design elements to prevent crime. Windows would be provided on all sides of the building. Entrances would be illuminated. The main entrance would be emphasized with more architectural details to differentiate it from the other entrances. Landscaping, sidewalks, and fencing are proposed to clearly guide pedestrian movement, control access, and distinguish between public and private areas.
- No structures exist on the site.

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

ZONING CODE: The site is zoned R5. A multiple family dwelling with 5 or more units is a permitted use in the R5 district. The programs and services offered by the Advantage Services Center are optional for residents; therefore the proposed use is not considered supportive housing.

Parking and Loading:

Minimum automobile parking requirement: The minimum parking requirement is one space per unit. With 54 dwelling units, 54 spaces are required. The use qualifies for a 10 percent reduction of the minimum parking requirement because the site is located within 300 feet of a transit stop with midday service headways of 30 minutes or less, which reduces the minimum parking requirement to 49 spaces. At least one accessible space is required. Not more than 25 percent of the required spaces can be compact spaces. A total of 61 parking spaces, including 3 accessible spaces and 2 compact spaces, are proposed.

Maximum automobile parking requirement: There is not a maximum parking requirement for dwellings except for parking that is not enclosed. All parking spaces would be enclosed.

Bicycle parking requirement: In general, the minimum bicycle parking requirement is equal to one space per two dwelling units. Not less than 90 percent of the required bicycle parking spaces must meet the standards for long term parking. All required bicycle parking spaces must be accessible without moving another bicycle and its placement shall not result in a bicycle obstructing a required walkway. Bicycle racks shall be installed to the manufacturer's specifications, including the minimum recommended distance from other structures. In addition, required long-term bicycle parking spaces must be located in enclosed and secured or supervised areas providing protection from theft, vandalism and weather and shall be accessible to intended users. Required long-term bicycle parking for residential uses shall not be located within dwelling units or within deck or patio areas accessory to dwelling units. The total minimum requirement is 27 spaces, of which at least 24 must meet the long-term parking requirements. The applicant would provide 61 long-term bicycle spaces in the parking garage and 8 short-term racks in front of the building. There is also a Nice Ride station located at the intersection of Logan Avenue and West Broadway.

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

Proposed Lot Area: The proposed lot area is 75,199 square feet.

Maximum Floor Area: The maximum floor area ratio (FAR) allowed in the R5 District is 2.0. The development qualifies for a 20 percent density bonus because all required parking would be located within the building. Therefore the maximum FAR increases to 2.4. The building would have a total of approximately 70,732 square feet, which is an FAR of approximately 0.94.

Minimum Lot Area: The minimum lot area requirement in the R5 district is 700 square feet per dwelling unit, or 37,800 square feet for 54 units. Per dwelling unit, 1,392.6 square feet of lot area is proposed.

Dwelling Units per Acre: The applicant proposes a density of 31.2 dwelling units per acre.

Building Height: The maximum height allowed in the R5 district is 4 stories or 56 feet, whichever is less. The height is determined by the vertical distance from the natural grade measured at a point 10 feet away from the front center of the building adjacent to West Broadway to the highest point of the building. The proposed height is 3 stories and approximately 38 feet.

Yard Requirements:

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

- *West Broadway:* No other residential structures are located on the West Broadway block face; therefore, the minimum front yard required for the subject property is the district requirement of 15 feet. The building would be set back 15 feet or more from the front lot line. Walkways, stairs, bicycle parking and a pocket park would be located in the required front yard. Walkways and stairs not exceeding 6 feet in width are permitted obstructions. Bicycle parking and a pocket park are not permitted obstructions. To allow them, a variance is required.
- *Logan Avenue North:* The dwelling located to the north is set back 27 feet from the lot line adjacent to Logan Avenue North; therefore, the minimum front yard required for the subject property is also 15 feet. The Logan Avenue North front yard requirement applies to approximately the first 100 feet of the site, as measured from the north lot line. Part of the building and tot lot would be located closer than 27 feet from the front lot line. Playground equipment is not a permitted obstruction. A variance is required to reduce the yard requirement.

Interior side yard requirements: An interior side yard is required along the north and south lot lines. The minimum interior side yard requirement for the building is equal to $5+2x$, where x is equal to the number of stories above the first floor. A 3-story building is proposed; therefore the minimum requirement is 9 feet. Where a side entrance faces a side lot line, the minimum required width of the interior side yard for the building increases to 15 feet. Side entrances would face the north and south

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

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lot lines. The building would be set back more than 15 feet from the side lot lines. Driveways leading to properly located parking areas are permitted obstructions.

Rear yard requirements: A rear yard is required along the east lot line. The minimum requirement for the building is equal to $5+2x$, where x is equal to the number of stories above the first floor. A 3-story building is proposed; therefore the minimum requirement is 9 feet. The building would be set back more than 9 feet from the rear lot line. Walkways not exceeding 6 feet in width are permitted obstructions.

Lot Coverage: The maximum lot coverage allowed in the R5 district is 70 percent. For the proposed site, 52,639.3 square feet of coverage is allowed. The proposed footprint is approximately 36,694 square feet, which would cover 48.8 percent of the site.

Impervious Surface Coverage: The maximum impervious surface coverage allowed in the R5 district is 85 percent. For the proposed site, 63,919.1 square feet of coverage is allowed. The proposed amount of impervious surface is approximately 42,715 square feet, which covers 56.8 percent of the site.

Specific Development Standards: The subject site is located within 1,500 square feet of a public park; therefore the project is not subject to the following development standards. Although not required by the zoning code, the applicant is proposing to provide more than 800 square feet of secured, outdoor children's play area.

Multiple family dwelling, five units or more.

- (1) All multiple family dwellings of five (5) or more units that include at least one (1) dwelling with three (3) or more bedrooms shall provide an outdoor children's play area to serve residents of the development on sites meeting the following criteria:
 - a. At least twenty thousand (20,000) square feet of lot area.
 - b. Located in the R5 or R6 Multiple Family Districts.
 - c. Located at least one thousand five hundred (1,500) feet from a public park.
 - d. Located outside the UA University Area Overlay District.
- (2) All required outdoor children's play areas shall be subject to the following requirements:
 - a. An active, outdoor children's play area shall be a minimum of fifty (50) square feet for each unit containing three (3) or more bedrooms, but not less than three hundred (300) square feet of play area to a maximum required area of two thousand (2,000) square feet.
 - b. The play area shall be secure, shall be separated from parking and maneuvering areas, and shall be designed to facilitate adult supervision.
 - c. Play equipment shall be effectively screened from any adjacent residential use located in a residence or office residence district or from a ground floor permitted or conditional residential use, as specified in Chapter 530, Site Plan Review.

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- d. The play area shall include play equipment, or natural features suitable for children in both preschool and elementary school. If pre-fabricated, play equipment shall be installed to manufacturer's specifications.
- e. Areas should be designed for winter use and relate to the built form with consideration given to elements such as providing shelter from wind, utilizing seasonally appropriate materials, maximizing access to sunlight and providing for snow and ice removal.
- f. Play equipment shall not be located in a required yard and not more than twenty-five (25) percent of the required square footage of the play area may be located in a required yard.

Signs: Signs are regulated by Chapter 543 On-Premise Signs in the zoning code. A corner lot with 43,560 square feet or more of lot area is allowed two flat wall identification signs not exceeding 48 square feet. The maximum allowed height of those signs is 14 feet above the adjacent grade or the top of the wall, whichever is less. Wall signs are required to be placed on primary building walls (walls facing a public street). In addition, one monument sign² up to 32 square feet in area and 8 feet in height is allowed. Either the wall signs or the monument sign, but not both, may be illuminated (internally or externally, but not backlit). The applicant has indicated that two wall signs and a freestanding sign are proposed that would comply with the above size and height requirements. However, the image provided for the freestanding sign shows a pole sign.³ Pole signs are not allowed. This provision cannot be varied; therefore, the freestanding sign will need to meet the monument sign standards. Any new signage will require Zoning Office review, approval, and permits.

Refuse Screening: Refuse and recycling storage containers are required to be enclosed on all four sides by screening compatible with the principal structure not less than two feet higher than the refuse container or shall be otherwise effectively screened from the street, adjacent residential uses located in a residence or office residence district and adjacent permitted or conditional residential uses. The refuse and recycling storage containers would be enclosed in the building.

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

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

- (1) *Screened by another structure.* Mechanical equipment installed on or adjacent to a structure may be screened by a fence, wall or similar structure. Such screening structure shall comply with the following standards:

² The zoning code defines a monument sign as “ A freestanding sign with its sign face mounted on the ground, on a solid base at least as wide as the sign, or on one (1) or more poles or beams with not more than one (1) foot of open area between the sign face and the ground or base.”

³ The zoning code defines pole sign as “A freestanding sign which has its supportive structure anchored in the ground or on a solid base not at least as wide as the sign, or which has a sign face elevated above the ground or base by one (1) or more poles or beams and with an open area between the sign face and the ground or base of more than one (1) foot.”

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

A transformer would be located at the northeast corner of the site. Rooftop mechanical equipment is also proposed. No screening is identified on the plans. Screening that meets the above requirements will need to be provided.

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

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

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

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

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The lighting plan submitted by the applicant indicates that the proposed site lighting will comply with the above requirements.

Fencing: Fences are regulated by Chapter 535, Article VI of the zoning code. Open, decorative, ornamental fences are proposed around the tot lot and on the perimeter of the parking garage roof. In a required front yard, the maximum allowed height for an open, decorative, ornamental fence is 4 feet. Outside of required yards, the maximum fence height is 8 feet. The fence around the tot lot extends into the required front yard. Although shown at a height of 5 feet, the applicant has indicated that the fence height will be 4 feet to comply with the fence height requirement. The proposed height of the other fence is 5 feet.

MINNEAPOLIS PLAN: In *The Minneapolis Plan for Sustainable Growth*, the future land use designation of this site is urban neighborhood. Adjacent to the site, West Broadway is designated as a commercial corridor. The applicable principles and policies of the comprehensive plan include the following:

Chapter 1. Land Use

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

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

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

1.3.1 Require safe, convenient, and direct pedestrian connections between principal building entrances and the public right-of-way in all new development and, where practical, in conjunction with renovation and expansion of existing buildings.

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

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.

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.

1.10.4 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.

Chapter 3. Housing

Policy 3.1: Grow by increasing the supply of housing.

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

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.

Policy 3.6: Foster complete communities by preserving and increasing high quality housing opportunities suitable for all ages and household types.

- 3.6.2 Promote housing development in all communities that meets the needs of households of different sizes and income levels.

Chapter 10. Urban Design

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

- 10.4.1 Maintain and strengthen the architectural character of the city's various residential neighborhoods.
- 10.4.2 Promote the development of new housing that is compatible with existing development in the area and the best of the city's existing housing stock.

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.

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

- 10.6.1 Design buildings to fulfill light, privacy, and view requirements for the subject building as well as for adjacent properties by building within required setbacks.
- 10.6.3 Provide appropriate physical transition and separation using green space, setbacks or orientation, stepped down height, or ornamental fencing to improve the compatibility between higher density and lower density residential uses.
- 10.6.4 Orient buildings and building entrances to the street with pedestrian amenities like wider sidewalks and green spaces.
- 10.6.5 Street-level building walls should include an adequate distribution of windows and architectural features in order to create visual interest at the pedestrian level.
- 10.6.6 Integrate transit facilities and bicycle parking amenities into the site design.

Policy 10.14: Encourage development that provides functional and attractive gathering spaces.

- 10.14.3 Encourage the creation of new parks and plazas.

Policy 10.18: Reduce the visual impact of automobile parking facilities.

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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.

West Broadway Alive

Adopted by the City Council in 2008, the *West Broadway Alive* small area plan identifies the subject site as a development opportunity site. On the future land use map, the site is located within the urban neighborhood land use designation. The plan calls for urban scale development intensity, which can include townhomes, small apartments and apartments three to five stories in height. It also directs that all new buildings should be at least two stories in height. The plan uses three design threads—color and pattern, three-dimensionality/movement, and language—in its design guidelines to “reinforce the urban character of West Broadway, while consciously embracing a design ethic that encourages color, creativity, and a sense of depth and movement.” The following building façade design guidelines from the small area plan apply to this development:

Frontage Types

- In general, buildings facing West Broadway should have an urban frontage, which means the building is immediately accessible to the public sidewalk, and there are active ground floor uses.

Building Materials

- Front facades of new buildings should include some brick to provide an element of continuity with the historic character of West Broadway structures.

Doors and Windows

- Facades should include prominent front entrances and abundant window glass.
- Principal entrances to West Broadway buildings, commercial or residential, should face the street. They should be clearly defined and emphasized through the use of architectural design features.
- Windows and balconies above the first floor should be vertically oriented, and in scale and proportion to the building, and the context and character of other buildings along the street. Windows should be open, and not covered by bars, signage, shelving, or other obstructions.

The plan also supports greening the West Broadway corridor and recognizes that with new development, “opportunities are created for building in [public pocket] spaces that are points of interest, provide environmental benefits, and expand the visual landscape.”

Staff comment: The proposed development is largely consistent with the above policies and guidelines. Decorative metal security grilles are proposed in the ground floor windows of dwelling units. The design guidelines of the small area plan discourage bars in windows. However, the zoning code does not prohibit security barriers for residential uses.

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

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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.

No alternative compliance is requested.

RECOMMENDATIONS

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

The Department of Community Planning and Economic Development recommends that the City Planning Commission **approve** the variance to reduce the front yard requirement adjacent to West Broadway to allow bicycle parking and a pocket park for the property located at 1926-2022 West Broadway, subject to the following condition:

1. Department of Community Planning and Economic Development staff review and approval of the final art and pocket park design.

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

The Department of Community Planning and Economic Development recommends that the City Planning Commission **approve** the variance to reduce the established front yard requirement adjacent to Logan Avenue North from 27 feet to approximately 15 feet to allow play equipment and the building for the property located at 1926-2022 West Broadway.

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

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the application for site plan review for a new multiple-family dwelling with 54 units for the property located at 1926-2022 West Broadway, subject to the following conditions:

1. The applicant shall consider providing individual entrances for ground floor units as encouraged by section 530.120 of the zoning code.
2. The freestanding sign shall comply with the requirements of Chapter 543 On-Premise Signs of the zoning code.
3. Mechanical equipment shall be screened as required by section 535.70 of the zoning code.
4. Fencing shall comply with section 535.420 of the zoning code.

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5. Department of Community Planning and Economic Development staff review and approval of the final elevations, floor, site, lighting and landscape plans.
6. Site improvements required by Chapter 530 or by the City Planning Commission shall be completed by May 6, 2015, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

Attachments:

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