

Department of Community Planning and Economic Development
Rezoning, Variances, Site Plan Review, Plat and Public Right-of-Way Vacation
BZZ-6038, PL-276 & Vac-1611

Date: June 10, 2013

Applicant: PRG, Inc.

Address of Property: 2839-2845 Bloomington Avenue and 2840-2844 16th Avenue South

Project Name: Greenway Heights

Contact Person and Phone: Gretchen Camp, BKV Group, Inc. (612) 373-9122

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

Date Application Deemed Complete: May 15, 2013

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

End of 120-Day Decision Period: On May 29, 2013, staff sent a letter to the applicant extending the 60-day decision period to September 12, 2013.

Ward: 9 **Neighborhood Organization:** East Phillips Improvement Coalition (adjacent to Midtown Phillips Neighborhood Association)

Existing Zoning: R2B Two-family District (2840-2844 16th Avenue South) and R5 Multiple-family District (2839-2845 Bloomington Avenue)

Proposed Zoning: R5 Multiple-family District

Zoning Plate Number: 26

Legal Description (2840-2844 16th Avenue South): Lots 4 and 5, Block 2, Allan and Anderson's Addition

Proposed Use: Multiple-family dwelling with 42 units

Concurrent Review:

- Petition to rezone the properties of 2840 and 2844 16th Avenue South from R2B to R5.
- Variance to reduce the front yard requirement adjacent to Bloomington Avenue to allow larger obstructions (a pergola and walkway) than allowed by the applicable regulations and children's play area.
- Variance to reduce the north interior side yard requirement to allow patios and balconies.

CPED Report
BZZ-6038, PL-276 & Vac-1611

- Site plan review.
- Preliminary and final plat.
- Alley vacation.

Applicable zoning code provisions: Chapter 525, Article VI Zoning Amendments; 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”; Chapter 530 Site Plan Review; and Chapter 598 Land Subdivision.

Background: The applicant is proposing to build a 4-story multiple-family dwelling with 42 dwelling units located at the property of 2839-2845 Bloomington Avenue and 2840-2844 16th Avenue South. Parking would be located below-grade in the lower level of the building. The site is located immediately north of the Midtown Greenway and is currently vacant.

The following applications are required to allow the proposed development:

- The site is zoned R2B and R5. A multiple family dwelling with 5 or more units is a permitted use in the R5 district, but is not a permitted use in the R2B district. The applicant is proposing to plat the site into one lot. The combining of land cannot result in more than one primary zoning classification on a single zoning lot. Therefore the applicant is proposing to rezone the parcels zoned R2B to R5 to allow the proposed use and prevent the creation of split zoning.
- A front yard is required adjacent to Bloomington Avenue. 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 less than 15 feet from the lot line adjacent to Bloomington Avenue; therefore, the minimum front yard required for the subject property is 15 feet. Walkways, a pergola, and the children’s play area would extend into the required front yard. Walkways not exceeding 6 feet in width are a permitted obstruction. One of the walkways would exceed 6 feet in width. Pergolas are permitted when they do not exceed 20 square feet in area and 8 feet in height. The pergola would be more than 20 square feet in area (approximately 48 square feet of which is located in the required front yard) and would be 11 feet in height. Children’s play areas are not permitted obstructions. To allow these obstructions, a variance is required.
- An interior side yard is required along the north 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 4-story building is proposed; therefore the minimum requirement is 11 feet. Patios and balconies would be located in the north interior side yard. Balconies and patios not exceeding 50 square feet in area and projecting not more than 4 feet into the required yard are permitted obstructions, provided they are located at least 10 feet from the interior side lot line on multiple-family dwellings four or more stories in height. The proposed balconies and patios would comply with the size requirement, but would be located up to 5.5 feet from the interior side lot line. A variance is required to allow the proposed patios and balconies.
- Site plan review is required for any development with five or more dwelling units.
- The applicant is proposing to vacate a portion of the alley that terminates within the subject site. The vacation request includes a turnaround easement. To allow vehicles to be able to continue to

CPED Report
BZZ-6038, PL-276 & Vac-1611

turn around, the applicant is proposing to dedicate a new area for a turnaround as part of the plat. The Public Works Department has reviewed the final plat and did not identify any issues. The City Attorney's office also reviewed the final plat and found that the fee simple owner is different on the final plat than what is identified in the title work. This discrepancy will need to be addressed before the final signatures can be obtained for the plat.

Correspondence from the neighborhood group, East Phillips Improvement Coalition, and the Midtown Greenway 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.

REZONING: Petition to rezone the properties of 2840 and 2844 16th Avenue South from R2B to R5.

Findings as required by the Minneapolis Zoning Code:

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

The proposed zoning would be consistent with the applicable policies of the comprehensive plan, *The Minneapolis Plan for Sustainable Growth*. Bloomington Avenue is designated as a community corridor. The future land use of the site is designated as urban neighborhood. According to the principles and polices outlined in the plan, the following apply to this proposal:

Land Use Policy 1.8: Preserve the stability and diversity of the city's neighborhoods while allowing for increased density in order to attract and retain long-term residents and businesses.

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

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

1.9.6 Promote more intensive residential development along Community Corridors near intersections with Neighborhood Commercial Nodes and other locations where it is compatible with existing character.

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.

CPED Report
BZZ-6038, PL-276 & Vac-1611

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

In 2007, the City Council adopted the *Midtown Greenway Land Use and Development Plan*. The plan supports new housing development located in areas that have good transit access and that are close to commercial goods and services and in other high-amenity areas. The future land use map identifies high density residential development (40 to 120 dwelling units per acre) as appropriate uses on the parcels fronting Bloomington Avenue. The future land use map identifies medium density residential development (10 to 50 dwelling units per acre) as appropriate uses on the parcels fronting 16th Avenue South. Likewise, the site is split between two development intensity districts identified in the plan. The parcels fronting Bloomington Avenue are located in the Urban-Oriented District. The parcels fronting 16th Avenue South are located in the Neighborhood-Oriented District. The Urban-Oriented District supports land areas that are developing in a pattern consistent with medium density building types of up to four or five stories. The Neighborhood-Oriented District is intended to support new development that is compatible with the existing density and pattern of adjacent lower density residential neighborhoods.

Staff comment: The plan intends to provide general development guidance and does not address situations where development sites overlap multiple future land use and development intensity districts. The site has convenient access to multiple modes of transportation and is in close proximity to commercial goods and services. New development adjacent to the Midtown Greenway tends to be of medium density building types, such as the multiple family dwellings located at 2909 Bloomington Avenue and 2850 Cedar Avenue South. The proposed development would be similar in scale to these other developments and would have a density on the low end of the high density range (67.6 dwelling units per acre). The proposed density is therefore consistent with these policies, but cannot be accomplished without rezoning the properties of 2840 and 2844 16th Avenue South from R2B to R5.

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

The rezoning would allow for higher density residential development on a site that has convenient access to transit and is in close proximity to commercial goods and services. The amendment is in the public interest and not solely in the interest of the property owner.

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

The site is located in a predominantly residential area of low to high density. It is also directly adjacent to the Midtown Greenway. A variety of commercial uses are located along Lake Street East, which is one block away from the site. There are also a couple of commercial uses located at the intersection of Bloomington Avenue and 28th Street East. The zoning in the immediate area includes R1A (the Midtown Greenway), R2B, R3, R5, OR1, OR2, C1, and C4. The uses allowed by the R5 district would be compatible with the surrounding uses and zoning classifications.

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

The existing zoning for the development site is R5 and R2B. The R5 district allows a multiple family dwelling; however, the R2B district only allows a two-family dwelling. Allowing more density to be established on this site is consistent with adopted policies because of its proximity to transit, the Midtown Greenway, and commercial goods and services. Rezoning is necessary to prevent the creation of more than one zoning district on a zoning lot, which is not allowed.

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

The properties of 2840 and 2844 16th Avenue South have been zoned R2B since 1982. As part of the Midtown Greenway Rezoning Study adopted by the City Council in 2010, the properties of 2839-2845 Bloomington Avenue were rezoned from R2B to R5. The rezoning study area also resulted in other properties adjacent to the Midtown Greenway being rezoned to allow more density in areas similar to where the subject site is located. New development adjacent to the Midtown Greenway tends to be of medium density building types, such as the multiple family dwellings located at 2909 Bloomington Avenue and 2850 Cedar Avenue South.

VARIANCE: To reduce the front yard requirement adjacent to Bloomington Avenue to allow larger obstructions (a pergola and walkway) than allowed by the applicable regulations and children's play area.

Findings as required by the Minneapolis Zoning Code:

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

The minimum front yard requirement along Bloomington Avenue is the district requirement of 15 feet. Walkways not exceeding 6 feet in width are a permitted obstruction. One of the walkways would exceed 6 feet in width. Pergolas are permitted when they do not exceed 20 square feet in area and 8 feet in height. The pergola would be more than 20 square feet in area (approximately 48 square feet of which is located in the required front yard) and would be 11 feet in height. Children's play areas are not permitted obstructions. Each of these obstructions would be located at the southwest corner of the site on the Midtown Greenway side of the building. Only small portions of each of the proposed features extend into the required yard. The walkway and pergola are proposed to emphasize the main entrance and enhance the west building elevation. A smaller walkway and pergola would not be of a comparable scale to the building. Adopted City polices support these objectives of enhanced building design. Because the target market for the development is families and most units will contain 3 or more bedrooms, a children's play area at

CPED Report
BZZ-6038, PL-276 & Vac-1611

least 1,300 square feet in area is required to be provided. There are a number of circumstances that limit where the play area can be located. The site has frontage on two streets with two required front yards in addition to the interior side and rear yard requirements. A portion of the site must be dedicated for an alley turnaround in order for the existing turnaround and south end of the alley to be vacated. The small area plan calls for providing a public promenade adjacent to the Midtown Greenway. Below-grade parking is a desired amenity, but also requires a longer driveway. With these considerations, an alternate location for the required play area that is completely outside of a required yard and of a functional width is not available.

- 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 enclosed front porch of the adjacent residential structure to the north is set back only 7 feet from the front lot line. Each of the proposed obstructions would be located at the southwest corner of the site on the Midtown Greenway side of the building. Therefore, they would not be near any adjacent residential properties. Only small portions of each of the proposed features extend into the required yard. The walkway and pergola are proposed to emphasize the main entrance and enhance the west building elevation, which are supported in the building design standards found in Chapter 530 of the zoning code. A smaller walkway and pergola would not be of a comparable scale to the building. The elements within the children's play area are at ground level i.e. there are no vertical elements. 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.**

As discussed above, 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 north interior side yard requirement to allow patios and balconies.

Findings as required by the Minneapolis Zoning Code:

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

The minimum interior side yard requirement for the building is 11 feet. Patios and balconies would be located in the north interior side yard adjacent to the property of 2838 16th Avenue South.

CPED Report
BZZ-6038, PL-276 & Vac-1611

Balconies and patios not exceeding 50 square feet in area and projecting not more than 4 feet into the required yard are permitted obstructions, provided they are located at least 10 feet from the interior side lot line on multiple-family dwellings four or more stories in height. The proposed balconies and patios would comply with the size requirement, but would be located up to 5.5 feet from the interior side lot line.

The site is an odd-shaped, through lot. Also, the Midtown Greenway borders the south side of the site. Shifting the building further to the south to eliminate this variance would result in the patios and balconies proposed on the south side of the building needing a side yard variance. It would also result in less of a landscape buffer between the building and children's play area and the public promenade that is provided as an amenity for residents and the neighborhood.

- 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 requested is to allow patios and balconies to be located closer than 10 feet to the adjacent lot line. The proposed balconies and patios would not exceed 50 square feet in area and would not affect the adjacent properties access to light and air. They would be located completely to the rear of the adjacent residential structure. The applicant is also proposing to plant a hedge between the interior side lot line and the patios that would grow to a mature height of 8 feet. These mitigation measures should minimize any potential adverse effects on the adjacent property.

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

As discussed above, 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.
 - 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.

CPED Report
BZZ-6038, PL-276 & Vac-1611

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 Bloomington Avenue and 16th Avenue South is 15 feet. The building would comply with these requirements.
- Amenities located between the building and the adjacent streets would include landscaping, bicycle parking, a pergola, and patios.
- The principal entrance would face Bloomington Avenue. One of the ground floor units will also have a patio entrance facing 16th Avenue.
- All parking would be enclosed within the building.
- The building would include recesses and projections and other architectural elements, such as change in materials and windows, 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 metal, fiber cement, and glass. The fiber cement 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 recessed and sheltered to emphasize its importance. Ground floor units would also have patio entrances facing the Midtown Greenway and 16th Avenue South.
- Twenty percent of the first floor walls facing Bloomington Avenue, 16th Avenue South and the Midtown Greenway are required to be windows. Measured between 2 and 10 feet above the adjacent grade, more than 26 percent of each wall would be windows.
- Each wall above the first floor facing Bloomington Avenue, 16th Avenue South and the Midtown Greenway is subject to the 10 percent window requirement. The amount of windows proposed on each wall is approximately 18 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 and public pathway 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 on this building will help to minimize any adverse effects of the massing of the building on adjacent properties with smaller structures.

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:

- Well-lit walkways exceeding 4 feet in width would connect the Bloomington Avenue public sidewalk to the main entrance. One of the ground floor units will also have a patio entrance facing 16th Avenue, but a walkway does not connect it to the public sidewalk. With the proximity of this unit to the street, the residents of this unit may prefer the convenience of accessing their unit from 16th Avenue. The applicant is encouraged to provide a pathway, such as stepping stones, to the public sidewalk for this unit.
- A transit shelter is not proposed.
- Vehicle access would be from Bloomington Avenue through a 19 foot wide curb cut. All circulation would occur on-site. The proposed vehicle access and circulation are designed to minimize conflicts with pedestrians and surrounding residential uses.
- The site is adjacent to an alley, but alley access is not proposed.
- All parking would be enclosed in the building. The amount of impervious surface proposed for the driveway is not excessive.

LANDSCAPING AND SCREENING:

- The composition and location of landscaped areas shall complement the scale of the development and its surroundings.
 - Not less than twenty (20) percent of the site not occupied by buildings, including all required landscaped yards, shall be landscaped as specified in section 530.160 (a).
- Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.
- Except as otherwise provided, required screening shall be at least ninety-five (95) percent opaque throughout the year.
- Screening shall be satisfied by one or a combination of the following:
 - A decorative fence.
 - A masonry wall.
 - A hedge.
- Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.170 (b), including providing landscape yards along a public street, public sidewalk or public pathway and abutting or across an alley from a residence or office residence district, or any permitted or conditional residential use.
- The corners of parking lots where rows of parking spaces leave areas unavailable for parking or vehicular circulation shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks or bicycle parking.
- In parking lots of ten (10) spaces or more, no parking space shall be located more than fifty (50) feet from the center of an on-site deciduous tree. Tree islands located within the interior of a parking lot shall have a minimum width of seven (7) feet in any direction.
- All other areas not governed by sections 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.

CPED Report
BZZ-6038, PL-276 & Vac-1611

- **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 27,054 square feet. The building footprint would be approximately 12,695 square feet. The lot area minus the building footprint therefore consists of approximately 14,359 square feet. At least 20 percent of the net site area (2,871.8 square feet) must be landscaped. Approximately 7,416 square feet of the site would be landscaped. That is equal to 51.6 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 6 and 29 respectively. A total of 6 canopy trees and 248 shrubs are proposed on-site. Two of the canopies trees exist.
- The remainder of the landscaped area would be covered with perennials, 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:

- Curbing is not proposed for the driveway because retaining walls abut each side. With the grading needed to access the enclosed parking, the stormwater runoff will be directed to a catch basin.
- 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. 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 R2B and R5. A multiple family dwelling with 5 or more units is a permitted use in the R5 district, but is not a permitted use in the R2B district. The applicant is proposing to plat the site into one lot. The combining of land cannot result in more than one primary zoning classification on a single zoning lot. Therefore the applicant is proposing to rezone the parcels zoned R2B to R5 to allow the proposed use and prevent the creation of split zoning.

Parking and Loading:

Minimum automobile parking requirement: The minimum parking requirement is one space per unit. With 42 dwelling units, 42 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 38 spaces. At least one accessible space is required. Not more than 25 percent of the required spaces can be compact spaces. A total of 39 parking spaces, including 1 accessible space and 1 compact space, 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 21 spaces, of which at least 19 must meet the long-term parking requirements. The applicant has indicated that 39 long-term bicycle spaces would be provided in the parking garage; however, they are not identified in the plans. Final plans will need to show the location of these bicycle parking spaces. Six short-term racks are proposed in front of the building.

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 27,054 square feet. This does not include the area of the proposed dedicated alley.

CPED Report
BZZ-6038, PL-276 & Vac-1611

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 51,095 square feet, which is an FAR of approximately 1.9.

Minimum Lot Area: The minimum lot area requirement in the R5 district is 700 square feet per dwelling unit, or 29,400 square feet for 42 units. The development qualifies for a 20 percent density bonus because all required parking would be located within the building. This reduces the minimum lot size requirement to 601.2 square feet per dwelling unit. Per dwelling unit, 644.1 square feet of lot area is proposed.

Dwelling Units per Acre: The applicant proposes a density of 67.6 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 a street to the highest point of the building. The proposed height is 4 stories and approximately 48 feet.

Yard Requirements:

Front yard requirements: The property is a through lot with frontage on two streets. In the R5 district, the minimum front yard requirement is 15 feet or the established setback of the adjacent residential structure, whichever is greater.

- *Bloomington Avenue:* The dwelling located to the north is set back less than 15 feet from the lot line adjacent to Bloomington Avenue; therefore, the minimum front yard required for the subject property is 15 feet. The building would be set back more than 15 feet from the front lot line. Balconies, walkways, a pergola, and the children's play area would extend into the required front yard. Balconies not exceeding 50 square feet in area and projecting not more than 4 feet into the required yard are permitted obstructions. The proposed balconies would comply with these requirements. Walkways not exceeding 6 feet in width are a permitted obstruction. One of the walkways would exceed 6 feet in width. Pergolas are permitted when they do not exceed 20 square feet in area and 8 feet in height. The pergola would be more than 20 square feet in area (approximately 48 square feet of which is located in the required front yard) and would be 11 feet in height. Children's play areas are not permitted obstructions. To allow these obstructions, a variance is required.
- *16th Avenue South:* The dwelling located to the north is set back 13.3 feet from the lot line adjacent to 16th Avenue South; therefore, the minimum front yard required for the subject property is 15 feet. The building would be set back more than 15 feet from the front lot line. Balconies and patios not exceeding 50 square feet in area and projecting not more than 4 feet into the required yard are permitted obstructions. The proposed balconies and patio would comply with these requirements.

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 4-story building is proposed; therefore the minimum requirement is 11 feet. Each building wall facing a side lot line would be set back at least 11 feet. Where a side entrance faces a side lot line, the minimum required width of the interior side yard for the

CPED Report
BZZ-6038, PL-276 & Vac-1611

building with the door increases to 15 feet. Side entrances would face the north and south lot lines where the building would be set back more than 15 feet. A driveway, walkway, patios and balconies would be located in the side yards. Driveways are a permitted obstruction when they lead to properly located parking areas. Walkways up to 4 feet in width are also permitted. The proposed public promenade is 4 feet in width. Balconies and patios not exceeding 50 square feet in area and projecting not more than 4 feet into the required yard are permitted obstructions, provided they are located at least 10 feet from the interior side lot line on multiple-family dwellings four or more stories in height. The proposed balconies and patios would comply with the size requirement, but would be located up to 5.5 feet from the north interior side lot line. A variance is required to allow the proposed patios and balconies in the north interior side yard.

Rear yard requirements: A rear yard is required along the east lot line adjacent to the alley. 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 4-story building is proposed; therefore the minimum requirement is 11 feet. The building would be set back more than 11 feet from the rear lot line. Driveways are a permitted obstruction when they lead to properly located parking areas.

Lot Coverage: The maximum lot coverage allowed in the R5 district is 70 percent. For the proposed site, 18,937.8 square feet of coverage is allowed. The proposed footprint is approximately 12,695 square feet, which would cover 46.9 percent of the site.

Impervious Surface Coverage: The maximum impervious surface coverage allowed in the R5 district is 85 percent. For the proposed site, 22,995.9 square feet of coverage is allowed. The proposed amount of impervious surface is approximately 42,715 square feet, which covers 72.6 percent of the site.

Specific Development Standards: The subject site is not located within 1,500 square feet of a public park; therefore the project is subject to the following development standards. Twenty-six dwelling units have 3 or more bedrooms; therefore at least 1,300 square feet of children's play area is required. The proposed play area is greater than 1,300 square feet in area and would comply with all other standards.

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:

CPED Report
BZZ-6038, PL-276 & Vac-1611

- 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.
- 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. The applicant has indicated that no signage is proposed at this time. 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:
 - 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.

CPED Report
BZZ-6038, PL-276 & Vac-1611

- (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 adjacent to the driveway and new alley turnaround. A fence will screen the equipment as required.

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.

Fencing: Fences are regulated by Chapter 535, Article VI of the zoning code. A fence is proposed around the children's play area. In a required front yard, the maximum allowed height for a solid fence is 3 feet. Outside of required yards, the maximum fence height is 8 feet. The fence around the children's play area extends into the required front yard. The proposed fence would be 3 feet tall.

MINNEAPOLIS PLAN: In *The Minneapolis Plan for Sustainable Growth*, the future land use designation of this site is urban neighborhood. Adjacent to the site, Bloomington Avenue is designated

CPED Report
BZZ-6038, PL-276 & Vac-1611

as a community corridor. In addition to the principles and policies of the comprehensive plan identified in the rezoning section of this report, the following also apply to this development:

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.

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 10.6: 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.

Midtown Greenway Land Use and Development Plan

In addition to the guidance discussed in the rezoning section of this report, the following guidance also applies to this development:

- A primary face and main entrances of buildings should address the public street while not excluding the possibility that additional "front doors" may at times also front the greenway.
- Balconies, windows and additional entries oriented toward the Greenway are strongly encouraged.
- Underground parking is encouraged for new residential developments.

CPED Report
BZZ-6038, PL-276 & Vac-1611

The small area plan also calls for a publicly accessible pedestrian promenade to be provided along the north side of the Midtown Greenway. It recommends an eight foot sidewalk within a twelve-foot public realm in order to provide ample space for pedestrians and slow-moving bicycles. The transition between the promenade and private development should include a decorative wall or fence and landscaping in a four foot or wider planting strip. The fence and landscaping elements should clearly indicate the boundary between the public promenade, but maintain visibility between the spaces over a height of 3-1/2 feet. This contributes to the safety of the promenade and its desirability as a public space, which in turn makes it more likely to be well used. Promenades should be lit with pedestrian-level lighting.

Staff comment: The proposed development is largely consistent with the above policies and guidelines. The building would be located 12 or more feet from the lot line adjacent to the Midtown Greenway. The applicant is proposing to provide a 6-foot wide public promenade that includes a 4-foot wide walkway and two-foot wide landscape buffer. A low retaining wall would be used to transition between the public and private spaces of the development. Additional landscaping would be provided on the north side of the retaining wall as well. Providing a 12-foot wide public promenade as recommended would significantly reduce the amount of outdoor space for the residents.

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.

No alternative compliance is requested.

PLAT (PL-276)

Findings as required by the Minneapolis Subdivision Code:

- 1. The subdivision is in conformance with these land subdivision regulations, the applicable regulations of the zoning code ordinance and policies of the comprehensive plan.**

The subdivision is in conformance with the applicable zoning code regulations and policies of the comprehensive plan. The subdivision is in conformance with the design requirements of the land subdivision regulations except for Section 598.240(2)[a], which requires that no residential lot shall be created that has more than five sides. In order to be in conformance with the land subdivision regulations, a variance of Section 598.240(2)[a], the prohibition on lots with more than five sides, is required. While variances from the zoning code require a separate application, variances from

CPED Report
BZZ-6038, PL-276 & Vac-1611

the subdivision standards are done as a part of the subdivision application subject to the standards listed below.

598.310. Variances. Where the planning commission finds that hardships or practical difficulties may result from strict compliance with these regulations, or that the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve variances to any or all of the provisions of this chapter. In approving variances, the planning commission may require such conditions as it deems reasonable and necessary to secure substantially the objectives of the standards or requirements of these regulations. No variance shall be granted unless the planning commission makes the following findings:

- (1) There are special circumstances or conditions affecting the specific property such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of land.
- (2) The granting of the variance will not be detrimental to the public welfare or injurious to other property in the area in which the property is located.

The intent of the prohibition on creating residential lots with more than five sides is to prevent odd-shaped lots and lots with unusable space. The proposed development site combines 5 existing lots. A new alley turnaround also needs to be dedicated as part of the plat. These circumstances result in a development site with more than 5 sides. Although odd-shaped, the lot would not result in any unusable spaces. Creating a lot with more than 5 sides would not be detrimental or injurious to neighboring properties.

- 2. The subdivision will not be injurious to the use and enjoyment of other property in the immediate vicinity, nor be detrimental to present and potential surrounding land uses, nor add substantially to congestion in the public streets.**

The plat would have no impact on the surrounding area. A new alley turnaround will be dedicated to prevent congestion in the alley.

- 3. All land intended for building sites can be used safely without endangering the residents or users of the subdivision and the surrounding area because of flooding, erosion, high water table, soil conditions, improper drainage, steep slopes, rock formations, utility easements or other hazard.**

The grade change of the site is not significant and does not present the other noted hazards. The variance would not have any effect on surrounding uses.

- 4. The lot arrangement is such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits and in providing driveway access to buildings on such lots from an approved street. Each lot created through subdivision is suitable in its natural state for the proposed use with minimal alteration.**

The lot is buildable with minimal alterations and has frontage on multiple streets.

- 5. The subdivision makes adequate provision for storm or surface water runoff, and temporary and permanent erosion control in accordance with the rules, regulations and standards of the city engineer and the requirements of these land subdivision regulations. To the extent practical, the amount of stormwater runoff from the site after development does not exceed the amount occurring prior to development.**

The Public Works Department will review the project for appropriate drainage and stormwater management. Provisions to minimize the amount of stormwater runoff from the site include a rain gardens and an infiltration system.

ALLEY VACATION (Vac-1611)

Development Plan: The applicant intends to use the vacated alley as part of a developable area to construct a multifamily dwelling.

Responses from Utilities and Affected Property Owners: An easement was requested by Comcast for the area to be vacated.

Findings: The proposed multifamily dwelling would encroach on the requested easement. The applicant will need to work with Comcast to have the easement released before building permits are issued. CPED and the Public Works Department find that the area proposed for vacation is not needed for any public purpose, is not part of a public transportation corridor, and can be vacated if an easement is reserved for Comcast and a new alley turnaround is dedicated via the subdivision process.

RECOMMENDATIONS

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

The Department of Community Planning and Economic Development recommends that the City Planning Commission and City Council adopt the above findings and **approve** the petition to rezone the property of 2840-2844 16th Avenue South from R2B Two-family District to R5 Multiple-family District.

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 Bloomington Avenue to allow larger obstructions (a pergola and walkway) than allowed by the applicable regulations and children's play area for the property located at 2839-2845 Bloomington Avenue and 2840-2844 16th Avenue South.

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 north interior side yard requirement to allow patios and balconies for the property located at 2839-2845 Bloomington Avenue and 2840-2844 16th Avenue South.

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 42 units for the property located at 2839-2845 Bloomington Avenue and 2840-2844 16th Avenue South, subject to the following conditions:

1. Department of Community Planning and Economic Development staff review and approval of the final elevations, floor, site, lighting and landscape plans.
2. Site improvements required by Chapter 530 or by the City Planning Commission shall be completed by July 19, 2015, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
3. The applicant is encouraged to provide a walkway between the east-facing patio of the ground floor unit and the 16th Avenue public sidewalk.

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

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the plat for the property located at 2839-2845 Bloomington Avenue and 2840-2844 16th Avenue South.

Recommendation of the Department of Community Planning and Economic Development for the Alley Vacation:

The Department of Community Planning and Economic Development recommends that the City Planning Commission and City Council adopt the above findings and **approve** the application for the alley vacation for the property located at 2839-2845 Bloomington Avenue and 2840-2844 16th Avenue South, subject to the following conditions:

- 1) An easement shall be reserved for Comcast.
- 2) A new alley turnaround shall be dedicated in the final plat. The final plat shall be recorded with Hennepin County.

CPED Report
BZZ-6038, PL-276 & Vac-1611

Attachments:

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