

Department of Community Planning and Economic Development (CPED)
Conditional Use Permit, Site Plan Review and Registered Land Survey
BZZ-6309 and RLS-71

Date: November 12, 2013

Applicant: Rick Collins with Ryan Companies US

Address of Property: 627, 701, 713 and 719 3rd Street South, 500, 501, 521, 628, 700, 716 and 728 4th Street South, 301, 329, 416 and 425 Portland Avenue, 520 5th Street South and 350 Park Avenue

Project Name: Downtown East

Contact Person and Phone: Rick Collins with Ryan Companies US, (612) 359-0601

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

Date Application Deemed Complete: October 18, 2013

End of 60-Day Decision Period: December 17, 2013

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

Ward: 7 **Neighborhood Organization:** Downtown East, Downtown Minneapolis Neighborhood Association and adjacent to Elliot Park

Existing Zoning: B4N, Downtown Neighborhood District, B4S-2, Downtown Service District and DP Downtown Parking Overlay District

Proposed Zoning: Not applicable for this development

Zoning Plate Number: 19

Legal Descriptions: Not applicable for this development

Proposed Use: Planned unit development that includes approximately 1.5 million square feet of office space, approximately 20,000 square feet of commercial space, 203 dwelling units and a principal parking facility

Concurrent Review:

Conditional use permit: for a planned unit development that includes approximately 1.5 million square feet of office space, approximately 20,000 square feet of commercial space, 203 dwelling units and a principal parking facility.

Site plan review.

Preliminary Registered Land Survey (RLS-71). This was noticed as a preliminary plat (PL-279) but has been changed to a RLS.

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Applicable zoning code provisions: Chapter 525, Article VII, Conditional Use Permits, Chapter 525, Chapter 527, Planned Unit Development, Chapter 530, Site Plan Review and Chapter 598, Land Subdivision Regulations.

Background: Ryan Companies is proposing to redevelop five blocks on the east side of Downtown. Three of the blocks are bounded by South 3rd Street, 5th Avenue South, South 4th Street, and Chicago Avenue South and the two additional blocks are bounded by South 4th Street, 5th Avenue South, South 5th Street, and Park Avenue. The Planned Unit Development (PUD) will be built in a number of phases. The first phase of the development will include the development of two mixed-use buildings, a stand-alone residential building, an above ground parking garage and a public park.

Within the two mixed-use buildings there will be office space, ground level and skyway level commercial space, residential units, an enclosed loading area and above ground structured parking. The overall size of each mixed-use building will be 818,062 square feet (648,934 square feet without parking). The two buildings will be mirror images of one another and will be built between South 3rd Street, 5th Avenue South, South 4th Street and Park Avenue. Floors one through four will be occupied by the office lobbies, loading bays and above ground structured parking for the residential units. There will be a total of 75 parking spaces located in each building. The office portions of the development will occupy floors five through 16 in both buildings. There will be a total of 699,835 square feet of office space in each building. The anticipated user of each office tower is Wells Fargo. It has been reported that between 5,000 and 6,000 employees will office out of this location. The housing components within the two mixed-use buildings will consist of four levels of dwelling units above one level of commercial space. There would be a total of 39 dwelling units in each building. The residential portion of the development will be constructed as a separate building for building code purposes but will be internally connected to the office building. The mixed-use buildings on these two blocks will be located towards the southern portion of the blocks, leaving the northern portion of the blocks for future development. Ryan Companies is anticipating building a housing development on the northern portion of each block sometime in the future. Any future development on these sites would require an amendment to the PUD.

The stand-alone residential building will be constructed on the western one-third of the block bounded by South 4th Street, 5th Avenue South, South 5th Street and Portland Avenue. The building will consist of seven levels of dwelling units above two levels of underground parking. The seventh level is only a partial level on the southern end of the building. There would be a total of 125 dwelling units in the building and 101 parking spaces. On the northern end of the building there will be an entry lobby, a leasing office and a fitness center. These building amenities will be made available to the residents who also live in the dwelling units located in the mixed-use buildings. There will also be approximately 2,700 spare feet of retail and/or amenity space on the north end of the building.

The above ground parking garage will be constructed on the block between South 3rd Street, Park Avenue, South 4th Street and Chicago Avenue. There will be 1,625 parking spaces in the garage, which will be used in conjunction with activities taking place at the new Minnesota Multi-Purpose Stadium. The Minnesota Sports Facilities Authority (MSFA) will ultimately own this parking garage. The MSFA and Ryan Companies are still negotiating the terms of the sale for this block but it is envisioned that there would be a mixed-use building constructed on the south side of the parking garage to help screen it

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from South 4th Street. Any future development on this site would require an amendment to the PUD. Given this, the majority of the south building wall will be constructed out of painted concrete block. The other three sides of the parking garage will be screened using a variety of materials including living walls. The zoning code requires principal parking garages to be located below grade except where the parking garage includes integrated transit facilities. The Stadium Implementation Committee reviewed the concept of a parking garage on this site. Through this review, the Stadium Implementation Committee exempted the parking garage from meeting the below grade requirement. The zoning code also requires commercial, residential, office or hotel uses located between the parking garage and any public sidewalk, except where frontage is needed to provide vehicular and pedestrian access to the facility. The Stadium Implementation Committee did not exempt the parking garage from meeting this requirement. The applicant is not proposing to have active uses between the parking garage and the public sidewalk but they are reserving space for future commercial, residential, office or hotel uses along Chicago Avenue and South 3rd Street. The above ground parking garage is considered stadium-related infrastructure under the stadium legislation passed by the State of Minnesota.

Skyways are proposed to connect the two mixed-use buildings and the above ground parking garage to the existing Jerry Haaf Memorial Ramp, which connects to the existing downtown skyway network. The skyways would ultimately connect to the new stadium but the design and layout for those skyways is still being discussed by the MSFA. Ryan Companies met with the Skyway Advisory Council in September to discuss their plans. The Skyway Advisor Council conceptually approved their plans.

Ryan Companies is proposing to develop a public park on the majority of the two blocks between South 4th Street, 5th Avenue South, South 5th Street and Park Avenue. They do not intend to own or operate the park but they have indicated that they will seed and/or sod the land in order to establish the foundation for a new public park. Sidewalks and street lights will also be installed around the two blocks. Originally, the applicant had proposed to vacate both Park Avenue and Portland Avenue in order to create a linear park that would eventually connect to the proposed plaza outside of the new Minnesota Multi-Purpose Stadium. Due to concerns expressed by both Hennepin County and the City of Minneapolis this is no longer being pursued.

The Star Tribune headquarters building (425 Portland Avenue) is located on one of the proposed park blocks bounded by South 4th Street, Portland Avenue, South 5th Street and Park Avenue. After reviewing a wrecking permit that was submitted for this building, CPED has determined that it is a historic resource. Given this, Ryan Companies has applied for a demolition of a historic resource application which is scheduled to be heard by the Minneapolis heritage Preservation Commission at a public hearing on November 19, 2013.

Alternative Urban Areawide Review (AUAR): As the designated Responsible Governmental Unit (RGU), the City of Minneapolis prepared an AUAR for the proposed construction of the Downtown East Development. The Draft AUAR was published in the Environmental Quality Board (EQB) *Monitor* on August 19, 2013. The rules require a 30-day comment period to allow government units and interested parties an opportunity to comment. Comments may address the accuracy and completeness of the information provided in the draft analysis and draft mitigation plan, potential impacts that warrant further analysis, further information that may be required in order to secure permits for specific projects in the future mitigation measures or procedures necessary to prevent significant environmental impacts within the area when actual development occurs, and the need to analyze additional development

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scenarios as require by this part. The 30 day comment period began on August 19, 2013, and ended on September 19, 2013. The Minnesota Department of Natural Resources, the Minnesota Department of Health, the Minnesota Department of Transportation, the Minnesota Pollution Control Agency, the State Historic Preservation Office, the Metropolitan Council, and Hennepin County provided comments on the draft AUAR.

State agencies and the Metropolitan Council have 10 days from the date of receipt of the revised document to file an objection to the document with the RGU. The revised document was sent to the state agencies, the Metropolitan County and Hennepin County on October 9, 2013. An objection may be filed only if the agency filing the objection has evidence that the revised document contains inaccurate or incomplete information relevant to the identification and mitigation of potentially significant environmental impacts, that the review has not analyzed sufficient development scenarios as required by this part, or that the proposed plan for mitigation will be inadequate to prevent potentially significant environmental impacts from occurring. No formal objections were submitted. The Minneapolis City Council adopted the final AUAR and the mitigation plan at their meeting of November 1, 2013.

Travel Demand Management Plan (TDMP): A TDMP is required for all non-residential development containing 100,000 square feet or more of new or additional gross floor area. The TDMP will be a joint document between Wells Fargo and Ryan Companies. The overall goal of the TDMP is a single occupancy vehicle (SOV) rate of less than 30 percent (70 percent of the employees will commute to work using alternative transportation modes such as transit, carpooling, biking or walking). A list of travel demand management strategies has been developed, which Wells Fargo and Ryan Companies will implement in order to help them to achieve the SOV goal. The TDMP has been reviewed and approved by both CPED and Public Works.

CONDITIONAL USE PERMIT - for a planned unit development that includes approximately 1.5 million square feet of office space, approximately 20,000 square feet of commercial space, 203 dwelling units and a principal parking facility

Findings as Required by the Minneapolis Zoning Code:

The Community Planning and Economic Development Department has analyzed the application and from the findings above concludes that:

1. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.

The establishment of a planned unit development that includes approximately 1.5 million square feet of office space, approximately 20,000 square feet of commercial space, 203 dwelling units and a principal parking facility will not be detrimental to or endanger the public health, safety, comfort or general welfare. Redevelopment of the five blocks will significantly transform the east side of downtown. The physical development will replace currently underutilized office and warehouse buildings and surface parking lots. In addition, almost two blocks of public park will be added to the neighborhood.

Constructing this development will provide activity on the site at all hours of the day which will improve the overall area.

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

The establishment of a planned unit development that includes approximately 1.5 million square feet of office space, approximately 20,000 square feet of commercial space, 203 dwelling units and a principal parking facility will not be injurious to the use and enjoyment of other property in the vicinity or impede the normal or orderly development and improvement of surrounding property. Surrounding uses include office and commercial buildings, residential development of varying densities, the Hennepin County Medical Center, the existing Metrodome and structured and surface parking lots. The proposed development will complement the existing uses in the area.

The above ground parking garage will be constructed on the block between South 3rd Street, Park Avenue, South 4th Street and Chicago Avenue. There will be 1,625 parking spaces in the garage, which will be used in conjunction with activities taking place at the new Minnesota Multi-Purpose Stadium. The MSFA will ultimately own this parking garage. The zoning code requires commercial, residential, office or hotel uses located between the parking garage and any public sidewalk, except where frontage is needed to provide vehicular and pedestrian access to the facility. There is no variance from this requirement and alternative compliance through Chapter 530, Site Plan Review cannot be granted. The applicant is not proposing to have active uses between the parking garage and the public sidewalk but they are reserving space for future commercial, residential, office or hotel uses along Chicago Avenue and South 3rd Street. CPED is recommending that commercial, residential, office or hotel uses be included along Chicago Avenue as part of the initial construction of the above ground parking garage.

Skyways are proposed to connect the two mixed-use buildings and the above ground parking garage to the existing Jerry Haaf Memorial Ramp, which connects to the existing downtown skyway network. The skyway that has been designed to connect the western mixed-use building to the Jerry Haaf Memorial Ramp has a large support column located in the public sidewalk on the west side of 5th Avenue South. Both CPED and Public Works have expressed concern with having this obstruction in the public sidewalk as it narrows the sidewalk to four feet in this location. CPED is recommending that the skyway over 5th Avenue South be designed so as to not require a support column in the public sidewalk. If this is not feasible for structural reasons, the support column shall be designed so the sidewalk has a minimum unobstructed width of eight feet.

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

The applicant will be working closely with CPED, the Public Works Department and the various utility companies during the duration of the development to ensure that all procedures are followed in order to comply with city and other applicable requirements.

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

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There is no minimum parking requirement for any use in the B4S or B4N zoning districts. However, in the downtown zoning districts, when residential parking is provided, one guest parking space is required to be provided for every 50 dwelling units within the building. There will be 203 dwelling units constructed as part of the first phase of the PUD which requires a total of four guest parking spaces. The applicant has indicated that there will be four guest parking spaces provided within the development.

The loading space requirement for the residential portion of the development is one small (10' by 25') loading space. There will be one small loading space provided in the stand-alone residential building. It will be located at street level and will be accessed off of 5th Avenue South. The loading space requirement for the office portion of the development is seven large (12' by 50') loading spaces. In addition, one small loading space is required for the commercial portion of the development. There will be a total of four large loading spaces provided in each mixed-use building. In addition, there will be one additional loading space in each building with a permanent trash compactor located in it.

The minimum bicycle parking requirement for the residential portion of the development is one space per two dwelling units. For 203 dwelling units the bicycle parking requirement is 102 spaces. There will be a minimum of 102 bicycle parking spaces provided within the development for the residents. The office and commercial portion of the development is subject to the bicycle facilities requirement of Chapter 549, Downtown Districts. The zoning code requires 30 bicycle parking spaces, four showers and 15 full-size lockers for people's belongings. The number of required showers needs to be distributed between men's and women's facilities. Within each mixed-use building there will be at least 125 bicycle parking spaces provided. In addition, a minimum of eight showers and 45 full-size lockers will be provided between the two mixed-use buildings.

Being located in downtown Minneapolis, there are several transit options available for the employees, residents and customers of the PUD. The Metro Transit Blue (Hiawatha) Line is located within walking distance of the PUD. This light rail line connects downtown Minneapolis to the Minneapolis-St. Paul International Airport and the Mall of America. The Metro Transit Green (Central Corridor) Line, which will connect downtown Minneapolis to Downtown St. Paul, is scheduled to open in 2014. The Metro Transit Blue Line and the Metro Transit Green Line will converge at the Downtown East/Metrodome Station, which is located at Chicago Avenue and South 4th Street. In addition to light rail, there are six Metro Transit bus routes in the immediate area and there are numerous Nice Ride Minnesota stations located near the site. There are also numerous on-street designated bike lanes in the area. Bike lanes can be found on Park Avenue, Portland Avenue, 5th Avenue South, South 3rd Street, South 4th Street and South 6th Street.

The applicant, together with Wells Fargo, has completed a TDMP for the first phase of the PUD. The overall goal of the TDMP is a single occupancy vehicle (SOV) rate of less than 30 percent (70 percent of the employees will commute to work using alternative transportation modes such as transit, carpooling, biking or walking). A list of travel demand management strategies has been developed, which Wells Fargo and Ryan Companies will implement in order to help them to achieve the SOV goal. The TDMP has been reviewed and approved by both CPED and Public Works.

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

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The development site for the PUD is located on the east side of Downtown. Three of the blocks are bounded by South 3rd Street, 5th Avenue South, South 4th Street, and Chicago Avenue South and the two additional blocks are bounded by South 4th Street, 5th Avenue South, South 5th Street, and Park Avenue. The future land use map in *The Minneapolis Plan for Sustainable Growth* designates three of the blocks as Mixed-Use and two of the blocks as Commercial. Downtown Minneapolis is a designed Growth Center and Chicago Avenue, located on the eastern boundary of the development site, is a designated Commercial Corridor. According to the principles and policies outlined in *The Minneapolis Plan for Sustainable Growth*, the following apply to this proposal:

Land Use Policy 1.1 states: “Establish land use regulations to achieve the highest possible development standards, enhance the environment, protect public health, support a vital mix of land uses, and promote flexible approaches to carry out the comprehensive plan.” This policy includes the following applicable implementation steps: (1.1.3) “Encourage the use of flexible regulatory options that promote high quality development, such as the Planned Unit Development (PUD) tool” and (1.1.5) “Ensure that land use regulations continue to promote development that is compatible with nearby properties, neighborhood character, and natural features; minimizes pedestrian and vehicular conflict; promotes street life and activity; reinforces public spaces; and visually enhances development.”

Land Use Policy 1.3 states: “Ensure that development plans incorporate appropriate transportation access and facilities, particularly for bicycle, pedestrian, and transit”. This policy includes the following applicable implementation steps: (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” and (1.3.3) “Encourage above-ground structured parking facilities to incorporate development that provides active uses on the ground floor.”

Land Use Policy 1.4 states: “Develop and maintain strong and successful commercial and mixed use areas with a wide range of character and functions to serve the needs of current and future users.” This policy includes the following applicable implementation steps: (1.4.1) “Support a variety of commercial districts and corridors of varying size, intensity of development, mix of uses, and market served” and (1.4.2) Promote standards that help make commercial districts and corridors desirable, viable, and distinctly urban, including: diversity of activity, safety for pedestrians, access to desirable goods and amenities, attractive streetscape elements, density and variety of uses to encourage walking, and architectural elements to add interest at the pedestrian level” and (1.4.4) “Continue to encourage principles of traditional urban design including site layout that screens off-street parking and loading, buildings that reinforce the street wall, principal entrances that face the public sidewalks, and windows that provide “eyes on the street”.”

Land Use Policy 1.5 states: “Promote growth and encourage overall city vitality by directing new commercial and mixed use development to designated corridors and districts.” This policy includes the following applicable implementation steps: (1.5.2) “Facilitate the redevelopment of underutilized commercial areas by evaluating possible land use changes against potential impacts on the surrounding neighborhood.”

Land Use Policy 1.15 states: “Support development of Growth Centers as locations for concentration of jobs and housing, and supporting services”. This policy includes the following applicable

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implementation steps: (1.15.2) “Support the intensification of jobs in Growth Centers through employment generating development” and (1.15.3) “Encourage the development of high- to very high-density housing within Growth Centers”.

The Minneapolis Plan for Sustainable Growth, describes Growth Center as “Growth Centers are busy, interesting and attractive places characterized by a concentration of business and employment activity and a wide range of complementary activities taking place throughout the day into the evening. These activities include residential, office, retail, entertainment and recreational uses. The concentration of employment-generating development in Growth Centers brings a critical mass of private and public sector firms, services, complementary retail and entertainment uses as well as a daily stream of employees to and from each site. Transit service to these centers is among the best in the metropolitan area. As unique job opportunity centers, they attract some of the area’s most skilled workers and provide many of the highest paying jobs in the region.” Specifically, the plan describes the Downtown Minneapolis Growth Center as “This Growth Center encompasses the area within the Downtown freeway loop. As the physical and economic center of the city, Downtown is a logical place for a concentration of employment, housing, and other complementary uses. The employment base is largely office, although retail, education, and health care also play important roles. The land use pattern strengthens the concentrated office core with surrounding entertainment, cultural, and residential development. High intensity uses are encouraged to make the best use of the premium location and to strengthen the city’s core.”

Housing Policy 3.1 states: “Grow by increasing the supply of housing.”

Housing Policy 3.2 states: “Support housing density in locations that are well connected by transit, and are close to commercial, cultural and natural amenities.” This policy includes the following applicable implementation step: (3.2.1) “Encourage and support housing development along commercial and community corridors, and in and near growth centers, activity centers, retail centers, transit station areas, and neighborhood commercial nodes.”

Urban Design Policy 10.3 states: “Use skyways to connect buildings Downtown.” This policy includes the following applicable implementation step: (10.3.6) “Limit skyway expansion to the downtown core and at other key sites with high-intensity uses in order to minimize low-usage skyways and maximize street-level pedestrian activity in growing downtown neighborhoods and historic areas.”

The *Downtown East/North Loop Master Plan* was approved by the Minneapolis City Council in October of 2003. The future land use map in the *Downtown East/North Loop Master Plan* designates two of the blocks as Mixed-Use Residential and three of the blocks as Office. The plan divides the study area into different development precincts. Three of the blocks are located in the Washington Village precinct and two of the blocks are located in the Downtown Core Expansion precinct. The plan identifies the Washington Village precinct as the best opportunity to create a “complete community” that would integrate existing structures and uses with new development. The plan envisions a medium-intensity, mixed-use district in this precinct that has a major residential component. The plan identifies the Downtown Core Expansion precinct as an area geared towards high-intensity commercial office development along with high-intensity residential uses too.

The proposed development supports the policies of *The Minneapolis Plan for Sustainable Growth* and the *Downtown East/North Loop Master Plan*.

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

With the approval of the conditional use permit, site plan review and the preliminary RLS this development will meet the applicable regulations of the B4S, Downtown Service District and the B4N, Downtown Neighborhood District.

Findings Required for Planned Unit Developments:

- A. The planned unit development conforms to the applicable standards for alternatives and amenities (see section A below for evaluation).**
- B. Additional uses (see section B below for evaluation).**
- C. The planned unit development conforms to the required findings for a planned unit development (see section C below for evaluation).**

Section A: Authorized Alternatives and Amenities Provided

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

Alternatives requested:

- **Placement and number of principal residential structures:** No alternative requested.
- **Bulk regulations:**

Maximum Floor Area: No alternative requested.

Building Height: In the B4N, Downtown Neighborhood District the zoning code limits the height of buildings to 10 stories or 140 feet. Per the zoning code definition, the height of a story is limited to 14 feet, except that the first story may be up to 20 feet in height. The mixed-use building located on the block bounded by South 3rd Street, Portland Avenue, South 4th Street and Park Avenue is located in the B4N zoning district. Per the zoning code, the overall height of the building is 23 stories or 300 feet six inches. All of the other buildings within the PUD are in compliance with the height regulations of the zoning code. The applicant is proposing to provide five points worth of amenities to allow an increase in the maximum height of the building.

1. Access to light and air of surrounding properties.

The proposed height of the building on the block bounded by South 3rd Street, Portland Avenue, South 4th Street and Park Avenue will not impede access to light and air that surrounding properties receive. The applicant will own the entire block. The proposed building occupies over half of the block and the applicant anticipates building a housing development on the northern portion of the block sometime in the future. All other surrounding properties are separated from the site by public streets.

2. Shadowing of residential properties, significant public spaces, or existing solar energy systems.

A shadow study was done that depicts shadowing impacts at 9 am, 12 noon, 3 pm and 6 pm in June and at 9 am, 12 noon and 3 pm in December. The shadow study indicates that there will be shadows cast on the American Trio residential building located at 250 Park Avenue during the afternoons in the winter months. As expected, the shadowing impacts are more substantial during these months due to the angle of the sun. The shadowing impacts have been minimized by the proposed placement of the building on the site. There are no significant public spaces or existing solar energy systems in the area that will be shadowed by the proposed building.

3. The scale and character of surrounding uses.

The overall height of the proposed building is 23 stories or 300 feet six inches. At this height, the building will be taller than what is currently located to the north and south sides of the block. However, the proposed building is similar in scale to buildings located in the central business district and will be similar in height to the new Minnesota Multi-Purpose Stadium. The housing portion of the development, which will be located on the south side of the office tower, will be five stories in height. It is also anticipated that the future housing development on the northern portion of the block would be five stories in height.

The character of the area is varied. In addition to the varied styles of office, commercial and residential buildings in the area, there is the Hennepin County Medical Center complex, the existing Metrodome and structured and surface parking lots. Many buildings in the area date

back to the early 1900's while many of the modern high-rise building and structured parking garages were built in the last 50 years.

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

There are a number of both locally and nationally designated properties in the vicinity of the building including the Minneapolis Armory (500 South 6th Street), Minneapolis City Hall (350 South 5th Street), the Grain Exchange Building (400-412 South 4th Street), the Northern Implement Co. building (616 South 3rd Street) and the Advanced Thresher/Emerson Newton Co. building (700-08 South 3rd Street). There are also two historic districts located within one-half mile of the building. These are the Saint Anthony Falls Historic District to the north and the South Ninth Street Historic District to the south. The proposed building will change the way one views these historic resources but since the building occupies an entire block and is separated from surrounding properties by public streets they will not be completely blocked by the building. While the Mississippi River and the Grand Rounds Scenic Byway are located four blocks north of the proposed building, there are a number of existing buildings that block views of this water body and significant open space from this location.

- **Lot area requirements:** No alternative requested.
- **Yards:** No alternative requested.
- **On-premise signs:** Signs are subject to the requirements of Chapter 543, On-Premise Signs. In the B4N and B4S zoning districts there can be two-and-a-half square feet of signage for every one linear foot of primary building wall. Wall signs are limited to 120 square feet in size. Projecting signs are limited to 48 square feet in size. The height limitation for both wall signs and projecting signs is 28 feet. Freestanding monument signs are limited to 32 square feet in size and can be no taller than 8 feet. However, a freestanding monument sign shall not be allowed if the amount of signage exceeds two-and-a-half square feet of signage for every one foot of primary building wall. The zoning code limits the number of freestanding signs on a zoning lot to one.

The applicant is proposing to have four wall signs that are larger than 120 square feet in size and located more than 28 feet above ground. Two of the wall signs are located on non-primary building walls. In addition, the applicant is proposing to have a freestanding monument sign that is larger than 32 square feet located on each of the mixed-use building sites. The applicant is proposing five points worth of amenities to allow more signage than is allowed by Chapter 543, On-Premise Signs.

It should be noted that Chapter 543, On-Premise Signs does authorize one to apply for a conditional use permit to allow up to two, 300 square foot wall signs on a building that is over six stories in height.

1. The sign plan may not allow a sign that is otherwise prohibited by the zoning ordinance.

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The signs which the applicant is seeking an exception for are allowed by the zoning code. The applicant does however show roof signs in the master sign plan that was submitted. Roof signs are prohibited by the zoning code.

- 2. The alternative will not significantly increase or lead to sign clutter in the area or result in a sign that is inconsistent with the purpose of the zoning district in which the property is located.**

In addition to all of the signs that the applicant is proposing that are allowed by the zoning code, the applicant is proposing to have four wall signs that are 250 square feet in size and located 199 feet above grade. Each of the mixed-use buildings would have two walls signs located on them. Two of the signs would be located on the South 4th Street sides of the buildings and two would be located on the South 3rd Street sides of the buildings. The signs on the South 3rd Street sides of the buildings are located on non-primary building walls. The applicant is also proposing to have one freestanding monument sign on each of the mixed-use building sites. Each of the freestanding signs would be 64 square feet in size.

The purpose of Chapter 543, On-Premise Signs is to allow effective signage appropriate to the planned character of each zoning district, to promote an attractive environment by minimizing visual clutter and confusion, to minimize adverse effects on nearby property, and to protect the public health, safety and welfare. The proposed sign plan is appropriate for the B4N and B4S zoning districts, however, the signs located on the non-primary building walls will be visible from the Saint Anthony Falls Historic District and the two locally and nationally designated properties located at 700-08 South 3rd Street (Advanced Thresher/Emerson Newton Co. building and 616 South 3rd Street (Northern Implement Co. building) which would not be appropriate. CPED is recommending that there be no signs located on the non-primary building walls of the mixed-use buildings.

- 3. The alternative will allow a sign that relates in size, shape, materials, color, illumination and character to the function and architectural character of the building or property on which the sign will be located.**

The proposed sign plan relates in size, shape, materials, color, illumination and character to the proposed buildings with the exception of the two signs located on the non-primary building walls.

- Off-street parking and loading:**

Parking: No alternative requested.

Loading: No alternative requested.

Points required:

- Minimum required amenity(ies) – **10 points.**
- Building height – **5 points.**
- On-premise signs – **5 points**
- **Total – 20 points.**

Amenities provided: Staff has analyzed the proposal and identified 27 points worth of amenities as described below.

Table 527-1 Amenities

The applicant proposes the following amenities from Table 527-1, Amenities:

Leadership in Energy and Environmental Design (LEED) - The proposed development shall meet the minimum standards for LEED Silver certification. The project does not have to achieve actual LEED certification; however, the developer must submit the LEED checklist and documentation to the city, approved by a LEED Accredited Professional (LEED-AP) that shows that the project will comply with LEED Silver requirements. The applicant has indicated that the development is attempting to meet LEED Silver certification or above but only for the two mixed-use buildings, minus the housing portions of them. In addition, neither the stand-alone residential building nor the above ground parking garage will meet LEED Silver certification. In total, the overall development will be 1,991,566 square feet in size. Of this total, the two mixed-use buildings, minus the housing portions of them, are 1,538,798 square feet in size, or make up 77 percent of the overall development. The applicant has submitted the LEED checklist that shows that the project could meet LEED Platinum requirements. The applicant will need to submit a signed LEED checklist and documentation, approved by a LEED Accredited Professional (LEED-AP) prior to building permits being issued. The applicant is only seeking half of the available points for this amenity since the entire development will not be LEED certified. However, since 77 percent of the overall development will be LEED certified and because the applicant is seeking LEED Platinum certification, CPED is recommending that 10 points be awarded for this amenity.

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

- **Contiguous ground level outdoor open space that is related to and proportional with the bulk of the building and landscaped with trees and shrubs.**
- **Rain gardens, where appropriate, are encouraged.**
- **Walkways and pathways shall be surfaced with pervious pavers, pervious concrete, decorative pavers, stamped concrete, colored concrete, brick or other decorative and durable materials.**
- **A minimum of thirty (30) percent of the site not occupied by buildings shall be landscaped outdoor open space. A minimum of fifty (50) percent of the provided open space shall be contiguous.**
- **The open space must be immediately accessible from the principal structure.**
- **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.**

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The applicant has indicated that the land that they are setting aside as outdoor open space is the land that the City of Minneapolis will eventually purchase for the public park on the majority of the two blocks between South 4th Street, 5th Avenue South, South 5th Street and Park Avenue South. The applicant is proposing to seed and/or sod the land in order to establish the foundation for a new public park. Sidewalks and street lights would also be installed around the two blocks. As designed, the outdoor open space does not meet the minimum standards so CPED is recommending that 0 points be awarded for this amenity.

Plaza - The required standards for a plaza are:

- **Plazas shall have a minimum area equivalent to ten (10) percent of the site not occupied by buildings, but not less than two thousand (2,000) square feet and shall comply with all provisions in Chapter 535, Regulations of General Applicability.** The applicant is proposing to have a plaza located on each of the mixed-use building sites. The size of the lot that each of the mixed-use buildings is located on is approximately 66,800 square feet. The footprint of each building is 55,009 square feet. Ten percent of 11,971 square feet is 1,179 square feet. Each plaza is approximately 4,060 square feet in size or 34 percent of the site not occupied by the building. The plazas would be located in front of the entrance to the office buildings along South 4th Street and Portland Avenue. The plazas will be directly connected to the public sidewalks along both street frontages as the perimeters of them, adjacent to the public sidewalks, are open which will allow free access for pedestrians and bicyclists. The plazas will be designed in accordance with the accessibility requirements of the Americans with Disabilities Act. The plazas have been designed to promote natural surveillance and visibility as they are primarily hardscaped and there aren't any aerial obstructions with the exception of 24-inch high planters, fixed seating and landscaping. The surfacing materials proposed for the plazas include colored concrete and decorative pavers. In terms of seating, a minimum of 81 linear feet of seating is required in each plaza, 16 feet of which must be fixed seating and 16 feet must include backs. The applicant is providing approximately 162 linear feet of seating in each plaza, all 162 feet of the seating is fixed and 36 feet of which has backs. An additional 126 linear feet of backless seating is proposed. Seating types include benches with backs, backless benches and planter seat walls. The minimum planting requirement for each plaza is one tree for each 1,000 square feet of plaza space, or four trees. Each plaza will contain six trees and numerous perennials. The additional amenity that will be provided in the plaza is a water fountain. The lighting in the plazas will conform to the requirements of Chapter 535, Regulations of General Applicability. The plazas have been designed for winter use. The plazas are located on the south side of the buildings which will be able to take advantage of solar access and the planting areas will be changed seasonally. The minimum trash receptacle requirement for each plaza is one trash receptacle and one recycling receptacle for each 2,000 square feet of plaza space, or two each. Each plaza will contain three trash and recycling receptacles. The plazas have been designed to be free of mechanical equipment.
- **Plazas for commercial or mixed-use development shall be open to the public during daylight hours.** The plazas will be open to the public during daylight hours.

The applicant is only seeking three of the available points for this amenity since the total amount of plaza area does not equal 10 percent of the total site area not occupied by buildings within the PUD. However, since the two proposed plazas on the mixed-use building sites do exceed 10 percent of the lot area not occupied by the building, CPED is recommending that 5 points be awarded for this amenity.

Energy Efficiency – Utilization of energy design assistance programs or commissioning to ensure that building systems are designed to operate efficiently and exceed the Minnesota State Energy Code by at least thirty (30) percent of the annual energy costs. The developer must submit documentation to the city including a letter signed by the owner or a licensed design professional, that shows the project will comply with this standard. The applicant has indicated that they have set a goal of 40 to 50 percent reduction in energy savings beyond ASHRAE 90.1-2007. Although the applicant has also applied for the amenity points associated with LEED, the minimum energy performance measure for LEED credit is a 10 percent reduction in energy savings beyond ASHRAE 90.1-2007. Since the applicant is committing to a greater energy savings than what is required for LEED and for the PUD amenity points, CPED is recommending that 3 points be awarded for this amenity.

Living wall system – The required standards for a living wall system are:

- **Provide a living wall system on at least one (1) building elevation.** The applicant will be providing a living wall system on the north, east and west elevations of the above ground parking garage.
- **The living wall shall be composed of panels that total a minimum of sixty (60) percent of the wall area on the building elevation, or five hundred (500) square feet, whichever is greater. Window area is included in the calculation of the wall area, but in no case shall the living wall cover windows.** Of the three parking garage elevations, the north elevation is the largest. It is 330 feet long and 70 feet tall for a total wall area of 23,100 square feet. Sixty percent of this number is 13,860 square feet. The applicant is proposing to distribute this amount of living wall system across the three elevations in order to provide a consistent facade on all three sides of the parking garage. In addition, the parking garage is not fully enclosed so a certain percentage of each elevation needs to remain open. CPED has calculated that, as currently designed, there is 12,042 square feet of living wall system on the building or 52 percent of what is required.
- **A portion of the plantings shall provide greenery year round.** Of the vine plantings proposed for the living wall system, none appear to provide greenery year round.

CPED is recommending that the living wall system be composed of panels that total a minimum of 60 percent of the wall area of the north elevation. In addition, a portion of the plantings shall provide greenery year round. As long as these requirements are met, CPED is recommending that 3 points be awarded for this amenity.

Shared vehicle – **Access to a shared passenger automobile available for short-term use. For residential uses, a minimum of one (1) car per one hundred (100) dwelling units is required.** There will be 203 dwelling units in the PUD which requires two shared vehicles. The applicant has indicated that there will be two shared vehicles provided for the development. CPED is recommending that 3 points be awarded for this amenity.

Enhanced landscaping – The required standards for enhanced landscaping are:

- **A landscaping plan of exceptional design that has a variety of native tree, shrub, and plant types that provide seasonal interest and that exceed the requirements of Chapter 530, Site Plan Review.** Chapter 530, Site Plan Review does not require any landscaping for buildings containing 50,000 square feet or more of gross floor area in the downtown districts. In addition to the land that will be converted into a public park, the applicant is proposing to have approximately 19,586 square

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feet of landscaping throughout the PUD site. The applicant is proposing to have a mixture of trees, shrubs, perennials and rain garden plantings. The proposed plant materials will provide seasonal interest.

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

CPED is recommending that 1 point be awarded for this amenity.

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

- **Provide capacity for infiltrating stormwater generated onsite with artful rain garden design that serves as a visible amenity.** The applicant has designed a series of rain gardens in the public boulevard along South 4th Street. All of the rain gardens will be five feet wide and will range between eight and 30 feet in length.
- **Rain garden designs shall be visually compatible with the form and function of the space and shall include for long-term maintenance of the design.** The rain gardens will be planted with a variety of perennials and canopy trees.
- **The design shall conform to requirements of the stormwater management plan approved by public works.** The City of Minneapolis will review and approve the applicant’s stormwater management plan.

CPED is recommending that 1 point be awarded for this amenity.

Recycling storage area – **Provide an easily accessible area that serves the entire building and is dedicated to the collection and storage of non-hazardous materials for recycling, including but not limited to paper, corrugated cardboard, glass, plastics and metals. The recycling storage area shall be located entirely below grade or entirely enclosed within the building.** There will be a recycling storage area provided in both of the mixed-use buildings and in the stand-alone residential building. The recyclable materials will be collected in bins located inside the buildings. CPED is recommending that 1 point be awarded for this amenity.

Points Summary

Amenity		Points Requested by Applicant	Points Recommended by Staff
Amenities from Table 527-1	Leadership in Energy and Environmental Design (LEED)	5	10
	Outdoor open space	5	0
	Plaza	3	5
	Energy efficiency	3	3
	Living wall system	1	3
	Shared vehicle	3	3
	Enhanced landscaping	1	1
	Enhanced stormwater management	1	1
	Recycling storage area	1	1
Total		23	27

Phasing plan – The proposed development is the first phase of a multi-phased PUD. The details of future phases are not available at this time. The areas where the future phases will be located include the north side of the mixed-use buildings and the south side of the parking garage. Until a development plan is prepared for these areas the applicant is proposing to seed and/or sod these spaces.

Section B: Additional Uses

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

Additional uses are not proposed.

Section C: Conformance with Required Planned Unit Development Findings

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

1. **That the planned unit development complies with all of the requirements and the intent and purpose of this chapter. In making such determination, the following shall be given primary consideration:**
 - a. **The character of the uses in the proposed planned unit development, including in the case of residential uses, the variety of housing types and their relationship to other site elements and to surrounding development.**

The first phase of the PUD will include the development of two mixed-use buildings, a stand-alone residential building, an above ground parking garage and a public park. Within the two mixed-use buildings there will be office space, ground level and skyway level commercial space, 78 residential units, an enclosed loading area and above ground structured parking.

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The two buildings will be mirror images of one another and will be built between South 3rd Street, 5th Avenue South, South 4th Street and Park Avenue. The stand-alone residential building will be constructed on the western one-third of the block bounded by South 4th Street, 5th Avenue South, South 5th Street and Portland Avenue. There would be a total of 125 dwelling units and 101 parking spaces in the building. On the northern end of the building there will be an entry lobby, a leasing office and a fitness center. These building amenities will be made available to the residents who also live in the dwelling units located in the mixed-use buildings. There will also be approximately 2,700 spare feet of retail and/or amenity space on the north end of the building. The above ground parking garage will be constructed on the block between South 3rd Street, Park Avenue, South 4th Street and Chicago Avenue. There will be 1,625 parking spaces in the garage, which will be used in conjunction with activities taking place at the new Minnesota Multi-Purpose Stadium. The mix of dwelling units includes studio, one and two-bedrooms. Uses in the surrounding area include office and commercial buildings, residential development of varying densities, the Hennepin County Medical Center, the existing Metrodome and structured and surface parking lots. The proposed development will complement the existing uses in the area.

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

There is no minimum parking requirement for any use in the B4S or B4N zoning districts. However, in the downtown zoning districts, when residential parking is provided, one guest parking space is required to be provided for every 50 dwelling units within the building. There will be 203 dwelling units constructed as part of the first phase of the PUD which requires a total of four guest parking spaces. The applicant has indicated that there will be four guest parking spaces provided within the development. For the residential portion of the development there will be 251 dedicated parking spaces. The 1,625 parking spaces that will be located in the above ground parking garage will be public parking spaces. None of them will be reserved for the office or commercial portions of the development.

The loading space requirement for the residential portion of the development is one small (10' by 25') loading space. There will be one small loading space provided in the stand-alone residential building. It will be located at street level and will be accessed off of 5th Avenue South. The loading space requirement for the office portion of the development is seven large (12' by 50') loading spaces. In addition, one small loading space is required for the commercial portion of the development. There will be a total of four large loading spaces provided in each mixed-use building. In addition, there will be one additional loading space in each building with a permanent trash compactor located in it.

The minimum bicycle parking requirement for the residential portion of the development is one space per two dwelling units. For 203 dwelling units the bicycle parking requirement is 102 spaces. There will be a minimum of 102 bicycle parking spaces provided within the development for the residents. The office and commercial portion of the development is subject to the bicycle facilities requirement of Chapter 549, Downtown Districts. The zoning code requires 30 bicycle parking spaces, four showers and 15 full-size lockers for people's

belongings. The number of required showers needs to be distributed between men's and women's facilities. Within each mixed-use building there will be at least 125 bicycle parking spaces provided. In addition, a minimum of eight showers and 45 full-size lockers will be provided between the two mixed-use buildings.

Being located in downtown Minneapolis, there are several transit options available for the employees, residents and customers of the PUD. The Metro Transit Blue (Hiawatha) Line is located within walking distance of the PUD. This light rail line connects downtown Minneapolis to the Minneapolis-St. Paul International Airport and the Mall of America. The Metro Transit Green (Central Corridor) Line, which will connect downtown Minneapolis to Downtown St. Paul, is scheduled to open in 2014. The Metro Transit Blue Line and the Metro Transit Green Line will converge at the Downtown East/Metrodome Station, which is located at Chicago Avenue and South 4th Street. In addition to light rail, there are six Metro Transit bus routes in the immediate area and there are numerous Nice Ride Minnesota stations located near the site. There are also numerous on-street designated bike lanes in the area. Bike lanes can be found on Park Avenue, Portland Avenue, 5th Avenue South, South 3rd Street, South 4th Street and South 6th Street.

The applicant, together with Wells Fargo, has completed a TDMP for the first phase of the PUD. The overall goal of the TDMP is a single occupancy vehicle (SOV) rate of less than 30 percent (70 percent of the employees will commute to work using alternative transportation modes such as transit, carpooling, biking or walking). A list of travel demand management strategies has been developed, which Wells Fargo and Ryan Companies will implement in order to help them to achieve the SOV goal. The TDMP has been reviewed and approved by both CPED and Public Works.

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

The site amenities include Leadership in Energy and Environmental Design (LEED), plazas, energy efficiency, living wall system, shared vehicle, enhanced landscaping, enhanced stormwater management and a recycling storage area.

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

The development includes the construction of two 23-story mixed-use buildings, a seven-story residential building and a seven-story above ground parking garage. The housing portion of the mixed-use buildings, which will be located on the south side of the office towers, will be five stories in height. The buildings have been arranged on the different blocks to form an edge around the proposed public park. The appearance of the different buildings is compatible in scale, massing and materials to one another. The above ground parking garage has been designed to look like a building through the use of differently

building materials and a living wall system. The height of the two mixed-use buildings will be taller than what is currently located to the north and south sides of the block. However, the proposed buildings are similar in scale to buildings located in the central business district and will be similar in height to the new Minnesota Multi-Purpose Stadium. The proposed development will change the way one views the area as the majority of the site is currently occupied by surface parking lots. However, the buildings will start to fill in an area of downtown Minneapolis that has been underdeveloped for some time. The skyways that are proposed to link the two mixed-use buildings and the above ground parking garage to the existing Jerry Haaf Memorial Ramp will impact the view corridors along 5th Avenue South, Portland Avenue and Park Avenue. While they won't go unnoticed, the skyways will be constructed primarily out of glass in order to be as transparent as possible.

- e. **An appropriate transition area shall be provided between the planned unit development and adjacent residential uses or residential zoning that considers landscaping, screening, access to light and air, building massing, and applicable policies of the comprehensive plan and adopted small area plans.**

There are no residential uses or residentially zoned properties adjacent to the site but the American Trio residential building is located across South 4th Street from the development at 250 Park Avenue. Because the development occupies five entire blocks the public streets in this case function as a transition area.

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

The applicant will be working closely with CPED, the Public Works Department and the various utility companies during the duration of the development to ensure that all procedures are followed in order to comply with city and other applicable requirements. The City of Minneapolis will review and approve the applicant's stormwater management plan and erosion control plan.

- g. **The consideration, where possible, of sustainable building practices during the construction phases and the use of deconstruction services and recycling of materials for the demolition phase.**

The applicant will contract with a waste removal company that has off site sorting and recycling operations.

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

Please refer to the preliminary RLS section of this staff report.

SITE PLAN REVIEW

Findings as Required by the Minneapolis Zoning Code:

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

Section A: Conformance with Chapter 530 of Zoning Code

BUILDING PLACEMENT AND DESIGN:

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

- a. **Windows shall be vertical in proportion.**
- b. **Windows shall be distributed in a more or less even manner.**

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

- **Nonresidential uses:**
 - **Principal entrances shall be clearly defined and emphasized through the use of architectural features such as roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Thirty (30) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:**
 - a. **Windows shall be vertical in proportion.**
 - b. **Windows shall be distributed in a more or less even manner.**
 - c. **The bottom of any window used to satisfy the ground floor window requirement may not be more than four (4) feet above the adjacent grade.**
 - d. **First floor or ground floor windows shall have clear or lightly tinted glass with a visible light transmittance ratio of 0.6 or higher.**
 - e. **First floor or ground floor windows shall allow views into and out of the building at eye level. Shelving, mechanical equipment or other similar fixtures shall not block views into and out of the building in the area between four (4) and seven (7) feet above the adjacent grade. However, window area in excess of the minimum required area shall not be required to allow views into and out of the building.**
 - f. **Industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, may provide less than thirty (30) percent windows on the walls that face an on-site parking lot, provided the parking lot is not located between the building and a public street, public sidewalk or public pathway.**
 - g. **In multiple tenant buildings, each individual ground level tenant space that faces a public street, public sidewalk, public pathway, or on-site parking lot shall comply with the minimum window requirements of this section.**

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

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

CPED RESPONSE:

- The buildings reinforce the street wall, facilitate pedestrian access and maximize natural surveillance. The buildings will be set relatively close to the property lines, there will be entrances and exits at street level that can be accessed by employees, residents and customers, there will be large windows on all sides of the buildings that maximize the opportunities for people to observe adjacent spaces and the public sidewalks, there will be lights located near all of the pedestrian entrances and there will be new pedestrian scaled lighting installed around all five blocks within the PUD.
- The building walls fronting along a front or corner side property line are required to be located within eight feet of the property line except where a greater yard is required by the zoning ordinance. All of the buildings are located more than eight feet from the front and corner side property lines. Alternative compliance is needed.
- The areas in between the different buildings and the property lines will contain increased sidewalk widths, landscaping, raised planters, benches, water features and potential outdoor dining areas. There is mechanical equipment shown between the mixed-use buildings and 5th Avenue South, Portland Avenue and Park Avenue. There may also be mechanical equipment located between the stand-alone residential building and 5th Avenue South. One option is to locate most of the equipment below ground. However, if that is not feasible, CPED is recommending that the mechanical equipment be screened with decorative fencing or landscaping.
- Each of the buildings has a principal entrance facing a public street. The ground floor residential units in each of the three buildings have entrances facing the street. There are five dwelling units on the ground floor of the stand-alone residential building facing 5th Avenue South. The elevations show that three of the dwelling units have stairs and entry stoops leading to them but the site and architectural floor plans do not. To ensure that this street is activated by the presence of these dwelling units CPED is recommending that there be stairs and entry stoops leading to at least three of the ground floor residential units facing 5th Avenue South.
- All of the parking for the development will be located either below ground, within a building or in an above ground parking garage.
- The exterior materials of the mixed-use buildings include precast concrete, granite, stone, metal and concrete block. On the housing portions of the mixed-use buildings there is brick, stone, metal and cement board siding. The exterior materials of the stand-alone residential building include brick, stone, metal and cement board siding. And the exterior materials of the above ground parking garage include precast concrete, metal and concrete block. Where cement board siding is used it does not make up more than 30 percent of any single building elevation. Where concrete block is used it is located on sides of the buildings where future development will be located and technically on an interior property line. The sides and rears of each building are similar to and compatible with the fronts of each building.
- There are areas on the building elevations that are over 25 feet in length and void of windows, entries, recesses or projections, or other architectural elements. The eastern mixed-use building has blank walls on the north (levels one through three and 15), east (level 15), south (level 15) and west (levels two, three and 15) sides. The western mixed-use building has blank walls on the north (levels one through three and 15), east (levels one through three and 15), south (level 15) and west level 15) sides. The stand-alone residential building has blank walls on the west side (level one) and all sides of the above ground parking garage have blank walls on all levels. Alternative compliance is needed.

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- At least 30 percent of the walls on the first floor and at least 10 percent of the walls on the upper floors that face a public street, public sidewalk, public pathway or on-site parking lot shall be windows. The minimum window calculation for the first floor of a building is measured between two and ten feet above the adjacent grade. The project's compliance with these requirements is as follows:
 - Eastern mixed-use building: the percentage of windows on the first floor facing Portland Avenue is 11 percent and the percentage of windows on the first floor facing Park Avenue is 22 percent. All other window requirements are being met. Alternative compliance is needed.
 - Western mixed-use building: the percentage of windows on the first floor facing 5th Avenue South is 11 percent and the percentage of windows on the first floor facing Portland Avenue is 22 percent. All other window requirements are being met. Alternative compliance is needed.
 - Stand-alone residential building: all window requirements are being met.
 - Above ground parking garage: none of the window requirements are being met. Alternative compliance is needed.
- The windows in the development are vertical in nature and are evenly distributed along the building walls.
- There are sides of the buildings that do not meet the ground floor active functions requirement. The Park Avenue side of the eastern mixed-use building has 58 percent active functions. The 5th Avenue South side of the western mixed-use building has 58 percent active functions. The 5th Avenue South side of the stand-alone residential building has 55 percent active function. And none of the parking garage sides meet the active functions requirements. Alternative compliance is needed.
- The principal roof line of the buildings will be flat. In this area of downtown Minneapolis the majority of the buildings have flat roofs. The barrel roof of the Minneapolis Armory is one exception to this.
- The above ground parking garage has been designed so sloped floors do not dominate the appearance of the walls and so vehicles are screened from view. Chapter 549, Downtown Districts requires that commercial, residential, office or hotel uses be located between the parking garage and any public sidewalk, except where frontage is needed to provide vehicular and pedestrian access to the facility. The applicant is not proposing to have active uses between the parking garage and the public sidewalk but they are reserving space for future commercial, residential, office or hotel uses along Chicago Avenue and South 3rd Street.

ACCESS AND CIRCULATION:

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

CPED RESPONSE:

- All of the building entrances leading into the buildings are either located directly up to the property line or are connected to the public sidewalk via a walkway.

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- The applicant is not proposing to construct any transit shelters as part of this PUD.
- All of the parking for the development will be located either below ground, within a building or in an above ground parking garage.
- There are no public alleys on any of the five blocks within the PUD.
- There is no maximum impervious surface requirement in either the B4N or B4S zoning districts. In addition, Chapter 530, Site Plan Review does not require any landscaping for buildings containing 50,000 square feet or more of gross floor area in the downtown districts. However, in addition to the land that will be converted into a public park, the applicant is proposing to have approximately 19,586 square feet of landscaping throughout the PUD site.

LANDSCAPING AND SCREENING:

- **The composition and location of landscaped areas shall complement the scale of the development and its surroundings.**
- **Not less than twenty (20) percent of the site not occupied by buildings, including all required landscaped yards, shall be landscaped as specified in section 530.160 (a).**
- **Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.**
- **Except as otherwise provided, required screening shall be at least ninety-five (95) percent opaque throughout the year. Screening shall be satisfied by one or a combination of the following:**
 - **A decorative fence.**
 - **A masonry wall.**
 - **A hedge.**
- **Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.170 (b), including providing landscape yards along a public street, public sidewalk or public pathway and abutting or across an alley from a residence or office residence district, or any permitted or conditional residential use.**
- **The corners of parking lots where rows of parking spaces leave areas unavailable for parking or vehicular circulation shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks or bicycle parking.**
- **In parking lots of ten (10) spaces or more, no parking space shall be located more than fifty (50) feet from the center of an on-site deciduous tree. Tree islands located within the interior of a parking lot shall have a minimum width of seven (7) feet in any direction.**
- **All other areas not governed by sections 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.**
- **Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.210.**
- **The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.80, as provided in section 530.220.**

CPED RESPONSE:

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- This site is exempt from the general landscaping and screening requirements of Chapter 530, Site Plan Review as the site is located in the B4N and B4S zoning districts and the buildings are larger than 50,000 square feet.

ADDITIONAL STANDARDS:

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

CPED RESPONSE:

- All of the parking for the development will be located either below ground, within a building or in an above ground parking garage.
- There are no locally or nationally designated individual landmarks or historic districts located within the PUD boundary itself. However, there are a number of both locally and nationally designated properties in the vicinity of the PUD including the Minneapolis Armory (500 South 6th Street), Minneapolis City Hall (350 South 5th Street), the Grain Exchange Building (400-412 South 4th Street), the Northern Implement Co. building (616 South 3rd Street) and the Advanced Thresher/Emerson Newton Co. building (700-08 South 3rd Street). There are also two historic districts located within one-half mile of the PUD. These are the Saint Anthony Falls Historic District to the north and the South Ninth Street Historic District to the south. The proposed development will change the way one views these historic resources but since the PUD occupies five blocks and is separated from surrounding properties by public streets they will not be completely blocked by the development. While the Mississippi River and the Grand Rounds Scenic Byway are located four blocks north of the proposed building, there are a number of existing buildings that block views of this water body and significant open space from this location.
- A shadow study was done that depicts shadowing impacts at 9 am, 12 noon, 3 pm and 6 pm in June and at 9 am, 12 noon and 3 pm in December. The shadow study indicates that there will be shadows cast on the American Trio residential building located at 250 Park Avenue during the afternoons during the winter months. As expected, the shadowing impacts are more substantial during these

months due to the angle of the sun. The shadowing impacts have been minimized by the proposed placement of the buildings on the site. There are no significant public spaces in the area that will be shadowed by the proposed building.

- The buildings have been designed with different setbacks at different levels of the buildings and there are awnings and canopies located over the building entrances which should help minimize wind effects on the surrounding area.
- The site plan complies with crime prevention design elements as there will be walkways that direct people to the building entrances, there will be large windows on all sides of the buildings that maximize the opportunities for people to observe adjacent spaces and the public sidewalks, there will be lights located near all of the pedestrian entrances and there will be new pedestrian scaled lighting installed around all five blocks within the PUD.
- This site is neither historically designated nor located in a historic district. However, the Star Tribune headquarters building (425 Portland Avenue) is located on one of the proposed park blocks bounded by South 4th Street, Portland Avenue, South 5th Street and Park Avenue. After reviewing a wrecking permit that was submitted for this building, CPED has determined that it is a historic resource. Given this, Ryan Companies has applied for a demolition of a historic resource application which is scheduled to be heard by the Minneapolis heritage Preservation Commission at a public hearing on November 19, 2013.

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

ZONING CODE:

- **Use:** Planned Unit Developments require a conditional use permit in the B4N and B4S zoning districts.
- **Off-Street Parking and Loading:**

Minimum automobile parking requirement: There is no minimum parking requirement for any use in the downtown zoning districts. However, when residential parking is provided, one guest parking space is required to be provided for every 50 dwelling units within the building. There will be 203 dwelling units constructed as part of the first phase of the PUD which requires a total of four guest parking spaces. The applicant has indicated that there will be four guest parking spaces provided within the development.

Maximum automobile parking requirement: The maximum parking requirement for residential uses in the downtown zoning districts is 1.6 spaces per dwelling unit. For 203 dwelling units the maximum parking requirement is 325 spaces. There will be 251 dedicated parking spaces for the residential portion of the development. The maximum parking requirement for retail sales and services uses in the downtown zoning districts is one space per 500 square feet of gross floor area and the maximum parking requirement for food and beverage uses in the downtown zoning districts is one space per 200 square feet of gross floor area. There will be approximately 20,000 square feet of commercial space within the development. If this space is occupied by retail sales and services uses the maximum parking requirement would be 40 spaces and if this space is occupied by food and beverage uses the maximum parking requirement would be 100 spaces. The maximum parking

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requirement for office uses in the downtown zoning districts is one space per 1,000 square feet of gross floor area. There will be approximately 1.4 million square feet of office space within the development which would have a maximum parking requirement of 1,400 parking spaces. The 1,625 parking spaces that will be located in the above ground parking garage will be public parking spaces. None of them will be reserved for the office or commercial portions of the development. The parking garage is fulfilling a portion of the parking supply that the Legislature required as part of the construction of the Minnesota Multi-Purpose Stadium.

Bicycle Parking: The minimum bicycle parking requirement for the residential portion of the development is one space per two dwelling units. For 203 dwelling units the bicycle parking requirement is 102 spaces. There will be a minimum of 102 bicycle parking spaces provided within the development for the residents. The office and commercial portion of the development is subject to the bicycle facilities requirement of Chapter 549, Downtown Districts. The zoning code requires 30 bicycle parking spaces, four showers and 15 full-size lockers for people's belongings. The number of required showers needs to be distributed between men's and women's facilities. Within each mixed-use building there will be at least 125 bicycle parking spaces provided. In addition, a minimum of eight showers and 45 full-size lockers will be provided between the two mixed-use buildings.

Loading: The loading space requirement for the residential portion of the development is one small (10' by 25') loading space. There will be one small loading space provided in the stand-alone residential building. It will be located at street level and will be accessed off of 5th Avenue South. The loading space requirement for the office portion of the development is seven large (12' by 50') loading spaces. In addition, one small loading space is required for the commercial portion of the development. There will be a total of four large loading spaces provided in each mixed-use building. In addition, there will be one additional loading space in each building with a permanent trash compactor located in it.

- **Minimum/Maximum Floor Area:** The minimum FAR in the B4N zoning district is 2.0. There is no maximum FAR in the B4N zoning district. The above ground parking garage is located in the B4N zoning district. The lot size for this portion of the development is 109,424 square feet and the above ground parking garage is 450,896 square feet in size, an FAR of 4.12. The eastern mixed-use building is also located in the B4N zoning district. The lot size for this portion of the development is 109,017 and the building is 678,934, an FAR of 6.23. In the B4S-2 zoning district the minimum FAR is 2.0 and the maximum FAR is 8.0. The western mixed-use building is located in the B4S-2 zoning district. The lot size for this portion of the development is 109,162 and the building is 678,934, an FAR of 6.22. The stand-alone residential building is also located in the B4S-2 zoning district. The lot size for this portion of the development is 36,410 square feet and the building is 141,000 square feet, an FAR of 3.87.
- **Building Height:** In the B4N zoning district the zoning code limits the height of buildings to 10 stories or 140 feet. Per the zoning code definition, the height of a story is limited to 14 feet, except that the first story may be up to 20 feet in height. The above ground parking garage is located in the B4N zoning district. The above ground parking garage is seven stories or 95 feet. The eastern mixed-use building is also located in the B4N zoning district. Per the zoning code, the overall height of this building is 23 stories or 300 feet six inches. There is no height limitation in the B4S-2 zoning

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district. The applicant is proposing to provide five points worth of amenities through the PUD application to allow an increase in the maximum height of the mixed-use building in the B4N zoning district.

- **Minimum Lot Area:** The minimum lot area for a PUD is one acre. The lot area for all five blocks within the PUD boundary is 546,612 or 12.55 acres.
- **Dwelling Units per Acre:** The PUD encompasses 12.55 acres. The first phase of the proposed development will provide 16.2 dwelling units per acre.
- **Yard Requirements:** Generally, there are no yard requirements in the downtown zoning districts. However, when the use is either residential or a hotel and there are windows facing an interior side or rear property line a setback of $5+2x$, where x equals the number of stories above the first floor, is required. The resulting setback shall not be greater than 15 feet. The stand-alone residential building is subject to a 15-foot setback from the east interior property line. This setback is being met.
- **Specific Development Standards:** The specific development standard for a planned unit development says that the development shall conform to the standards of Chapter 527, Planned Unit Development.
- **Signs:** Signs are subject to the requirements of Chapter 543, On-Premise Signs. In the B4N and B4S zoning districts there can be two-and-a-half square feet of signage for every one foot of primary building wall. Wall signs are limited to 120 square feet in size. Projecting signs are limited to 48 square feet in size. The height limitation for both wall signs and projecting signs is 28 feet. Freestanding monument signs are limited to 32 square feet in size and can be no taller than 8 feet. However, a freestanding monument sign shall not be allowed if the amount of signage exceeds two-and-a-half square feet of signage for every one foot of primary building wall. The zoning code limits the number of freestanding signs on a zoning lot to one.

The applicant is proposing to have four wall signs that are larger than 120 square feet in size and located more than 28 feet above ground. In addition, the applicant is proposing to have two freestanding monument signs that are larger than 32 square feet. The applicant is proposing five points worth of amenities through the PUD application to allow more signage than is allowed by Chapter 543, On-Premise Signs.

- **Refuse storage:** There will be a recycling storage area provided in both of the mixed-use buildings and in the stand-alone residential building.
- **Lighting:** A lighting plan showing footcandles was not submitted as part of the application materials. All lighting shall comply with Chapter 535, Regulations of General Applicability and Chapter 541, Off-Street Parking and Loading and CPED Staff shall review the details of the fixtures in the final review prior to permit issuance.
- **Plaza:** The applicant is proposing to have a plaza located on each of the mixed-use building sites. The size of the lot that each of the mixed-use buildings is located on is approximately 66,800 square

feet. The footprint of each building is 55,009 square feet. Ten percent of 11,971 square feet is 1,179 square feet. Each plaza is approximately 4,060 square feet in size or 34 percent of the site not occupied by the building. The plazas would be located in front of the entrance to the office buildings along South 4th Street and Portland Avenue. The plazas will be directly connected to the public sidewalks along both street frontages as the perimeters of them, adjacent to the public sidewalks, are open which will allow free access for pedestrians and bicyclists. The plazas will be designed in accordance with the accessibility requirements of the Americans with Disabilities Act. The plazas have been designed to promote natural surveillance and visibility as they are primarily hardscaped and there aren't any aerial obstructions with the exception of 24-inch high planters, fixed seating and landscaping. The surfacing materials proposed for the plazas include colored concrete and decorative pavers. In terms of seating, a minimum of 81 linear feet of seating is required in each plaza, 16 feet of which must be fixed seating and 16 feet must include backs. The applicant is providing approximately 162 linear feet of seating in each plaza, all 162 feet of the seating is fixed and 36 feet of which has backs. An additional 126 linear feet of backless seating is proposed. Seating types include benches with backs, backless benches and planter seat walls. The minimum planting requirement for each plaza is one tree for each 1,000 square feet of plaza space, or four trees. Each plaza will contain six trees and numerous perennials. The additional amenity that will be provided in the plaza is a water fountain. The lighting in the plazas will conform to the requirements of Chapter 535, Regulations of General Applicability. The plazas have been designed for winter use. The plazas are located on the south side of the buildings which will be able to take advantage of solar access and the planting areas will be changed seasonally. The minimum trash receptacle requirement for each plaza is one trash receptacle and one recycling receptacle for each 2,000 square feet of plaza space, or two each. Each plaza will contain three trash and recycling receptacles. The plazas have been designed to be free of mechanical equipment.

MINNEAPOLIS PLAN:

The development site for the PUD is located on the east side of Downtown. Three of the blocks are bounded by South 3rd Street, 5th Avenue South, South 4th Street, and Chicago Avenue South and the two additional blocks are bounded by South 4th Street, 5th Avenue South, South 5th Street, and Park Avenue. The future land use map in *The Minneapolis Plan for Sustainable Growth* designates three of the blocks as Mixed-Use and two of the blocks as Commercial. Downtown Minneapolis is a designed Growth Center and Chicago Avenue, located on the eastern boundary of the development site, is a designated Commercial Corridor. According to the principles and policies outlined in *The Minneapolis Plan for Sustainable Growth*, the following apply to this proposal:

Urban Design Policy 10.1 states: "Promote building designs and heights that enhance and complement the image and form of the Downtown skyline, provide transition to the edges of Downtown and protect the scale and quality in areas of distinctive physical or historical character." This policy includes the following applicable implementation steps: (10.1.1) "Concentrate the tallest buildings in the Downtown core" and (10.1.2) "Building placement should preserve and enhance public view corridors that focus attention on natural or built features, such as landmark buildings, significant open spaces or water bodies" and (10.1.3) "Building placement should allow light and air into the site and surrounding properties."

Urban Design Policy 10.2 states: "Integrate pedestrian scale design features into Downtown site and building designs and infrastructure improvements." This policy includes the following applicable

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implementation steps: (10.2.1) “The ground floor of buildings should be occupied by active uses with direct connections to the sidewalk” and (10.2.2) “The street level of buildings should have windows to allow for clear views into and out of the building” and (10.2.3) “Ensure that buildings incorporate design elements that eliminate long stretches of blank, inactive building walls such as windows, green walls, architectural details, and murals” and (10.2.5) “Locate access to and egress from parking ramps mid-block and at right angles to minimize disruptions to pedestrian flow at the street level” and (10.2.7) “Locate buildings so that shadowing on public spaces and adjacent properties is minimized” and (10.2.8) “Coordinate site designs and public right-of-way improvements to provide adequate sidewalk space for pedestrian movement, street trees, landscaping, street furniture, sidewalk cafes and other elements of active pedestrian areas.”

Urban Design Policy 10.3 states: “Use skyways to connect buildings Downtown.” This policy includes the following applicable implementation steps: (10.3.1) “Provide maximum transparency of skyway walls in order to provide views to the outside that help users orient themselves” and (10.3.2) “Maintain uniform skyway hours of operation wherever possible” and (10.3.3) “Provide consistent and uniform directional signage and accessible skyway system maps near skyway entrances, particularly along primary transit and pedestrian routes” and (10.3.4) “Provide convenient and easily accessible vertical connections between the skyway system and the public sidewalks, particularly along primary transit and pedestrian routes” and (10.3.5) “Maintain functional links in the skyway system while adjoining properties undergo redevelopment or renovation” and (10.3.6) “Limit skyway expansion to the downtown core and at other key sites with high-intensity uses in order to minimize low-usage skyways and maximize street-level pedestrian activity in growing downtown neighborhoods and historic areas.”

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

Urban Design Policy 10.5 states: “Support the development of multi-family residential dwellings of appropriate form and scale.” This policy includes the following applicable implementation step: (10.5.3) “Large-scale, high-rise, multi-family residential development is more appropriate in the Downtown Minneapolis Growth Center.”

Urban Design Policy 10.9 states: “Support urban design standards that emphasize traditional urban form with pedestrian scale design features at the street level in mixed-use and transit-oriented development.” This policy includes the following applicable implementation steps: (10.9.1) “Encourage both mixed-use buildings and a mix of uses in separate buildings where appropriate” and (10.9.2) “Promote building and site design that delineates between public and private spaces.”

Urban Design Policy 10.14 states: “Encourage development that provides functional and attractive gathering spaces.” This policy includes the following applicable implementation step: (10.14.3) “Encourage the creation of new parks and plazas.”

Urban Design Policy 10.16 states: “Design streets and sidewalks to ensure safety, pedestrian comfort and aesthetic appeal.” This policy includes the following applicable implementation steps: (10.16.1) “Encourage wider sidewalks in commercial nodes, activity centers, along community and commercial corridors and in growth centers such as Downtown and the University of Minnesota” and (10.16.2) “Provide streetscape amenities, including street furniture, trees, and landscaping, that buffer pedestrians

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from auto traffic, parking areas, and winter elements” and (10.16.3) “Integrate placement of street furniture and fixtures, including landscaping and lighting, to serve a function and not obstruct pedestrian pathways and pedestrian flows.”

Urban Design Policy 10.17 states: “Provide sufficient lighting to reflect community character, provide a comfortable environment in a northern city and promote environmentally friendly lighting systems.”

Urban Design Policy 10.18 states: “Reduce the visual impact of automobile parking facilities.” This policy includes the following applicable implementation steps: (10.18.5) “Design parking structures so sloping floors do not dominate the appearance of the walls” and (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.”

Urban Design Policy 10.19 states: “Landscaping is encouraged in order to complement the scale of the site and its surroundings, enhance the built environment, create and define public and private spaces, buffer and screen, incorporate crime prevention principles, and provide shade, aesthetic appeal, and environmental benefits.”

Urban Design Policy 10.20 states: “Promote an attractive environment by minimizing visual clutter and confusion caused by a proliferation of signage.”

Urban Design Policy 10.21 states: “Unique areas and neighborhoods within the city should have a special set of sign standards to allow for effective signage appropriate to the planned character of each area/neighborhood.” This policy includes the following applicable implementation steps: (10.21.2) “To promote street life and activity, signs should be located and sized to be viewed by people on foot (not vehicles) in order to preserve and encourage the pedestrian character of commercial areas that have traditional urban form” and (10.21.3) “Encourage effective signage that is appropriate to the character of the city’s historic districts and landmarks, and preserves the integrity of historic structures.”

The *Downtown East/North Loop Master Plan* was approved by the Minneapolis City Council in October of 2003. According to the policies outlined in the *Downtown East/North Loop Master Plan*, the following apply to this proposal:

Concentrate skyways within the Downtown Core. A limited number of extensions beyond the core is acceptable as long as skyways are built to connect high-intensity uses that generate a great deal of foot traffic. Such uses include Class A office space, the Baseball Park, and the Multi-Modal Station.

Create points where highly visible vertical circulation is built to forge direct connections between the Skyway System and downtown sidewalks.

Construct skyway stair towers at the edges of the Skyway System to facilitate a series of strong, highly-visible points of interface with City sidewalks and proposed open/green spaces.

Locate new skyways within buildings in a manner that enables pedestrians to see the street from inside.

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Establish significant public spaces in Downtown East and North Loop, especially where they are proximate to the places where people live or work.

Design public spaces and private plazas to encourage their use and to place a strong emphasis on the creation of “green” in these new spaces. Open spaces should connect directly to city streets and they should be well-integrated into the public domain.

Sidewalks should be built to a minimum width of 12 feet to promote a comfortable scale and to create opportunities to enhance sidewalk activity. In locations where plantings or sidewalk cafes are intended, a minimum sidewalk width of 18 feet should be maintained. A minimum width of 10 feet should be adopted for zones of “pedestrian-clear” space.

Establish continuous zones on the outer edges of downtown sidewalks where functional hardware (such as streetlights, signage and parking meters) are located in manner that is as uniform as possible.

Wherever possible, establish continuous zones on the inner or outer edges of downtown sidewalks for street furnishings, planters, public art, and other amenities.

Use trees for their aesthetic and ecological benefits: improvement of air quality, reduction of storm water runoff, cooling in the summertime, and the buffering of winter winds.

Consider the form of the space that will be created by trees. Use them to create “urban rooms,” so that the combination of trees and buildings will help to create special places for people to interact.

Enhancing the existing design context in Downtown East and the North Loop should be accomplished through the ideal of developing a “family” or collection of buildings. The whole of such a collection matters as much as the individual style of any one building. Consistent – but workable – standards should be followed for the siting, height, and mass of each new building.

It is recommended that, on average 10%, of the developable area of every full block or half block project be set aside for public open space. Smaller, infill sites should be exempt from this prescription. This residual space should be designed specifically for public realm use, with decorative paving, street furniture, trees, public art, water features, pedestrian lighting, planted areas and other amenities.

The proposed development supports the policies of *The Minneapolis Plan for Sustainable Growth* and the *Downtown East/North Loop Master Plan*.

ALTERNATIVE COMPLIANCE:

- **The Planning Commission or zoning administrator may approve alternatives to any site plan review requirement upon finding any of the following:**
- **The alternative meets the intent of the site plan chapter and the site plan includes amenities or improvements that address any adverse effects of the alternative. Site amenities may include but are not limited to additional open space, additional landscaping and screening, green roof, decorative pavers, ornamental metal fencing, architectural enhancements, transit facilities, bicycle facilities, preservation of natural resources, restoration of previously damaged natural environment, rehabilitation of existing structures that have been locally designated or have**

been determined to be eligible to be locally designated as historic structures, and design which is similar in form, scale and materials to existing structures on the site and to surrounding development.

- **Strict adherence to the requirements is impractical because of site location or conditions and the proposed alternative meets the intent of this chapter.**
- **The proposed alternative is consistent with applicable development plans or development objectives adopted by the city council and meets the intent of this chapter.**

CPED RESPONSE:

- **The building walls fronting along a front or corner side property line are required to be located within eight feet of the property line except where a greater yard is required by the zoning ordinance.** All of the buildings are located more than eight feet from the front and corner side property lines. The areas in between the different buildings and the property lines will contain increased sidewalk widths, landscaping, raised planters, benches, water features and potential outdoor dining areas. Given the size of the buildings and the elements that will be located between them and the property lines, CPED is recommending that the City Planning Commission grant alternative compliance to allow the building footprints to be located where shown on the submitted plans.
- **There are areas on the building elevations that are over 25 feet in length and void of windows, entries, recesses or projections, or other architectural elements.** The eastern mixed-use building has blank walls on the north (levels one through three and 15), east (level 15), south (level 15) and west (levels two, three and 15) sides. The western mixed-use building has blank walls on the north (levels one through three and 15), east (levels one through three and 15), south (level 15) and west level 15) sides. The stand-alone residential building has blank walls on the west side (level one) and all sides of the above ground parking garage have blank walls on all levels. The majority of the blank wall areas on the mixed-use buildings are located where there is the enclosed parking area. These areas are where there will either be another building constructed in the future or where there is ventilation equipment. The blank wall area on the stand-alone residential building is located where the access to the underground parking garage is located and the short-term parking spaces. CPED is recommending that this wall of the building be designed so the walls are not blank for more than 25 feet in length. The blank wall areas on the north, west and east sides of the above ground parking garage are where the living wall system is located. These areas will be activated by the vines growing on them but are technically blank because the material doesn't change every 25 feet. On the south side of the above ground parking garage the wall is blank as this is where the future development site is located. For the reasons listed above, CPED is recommending that the City Planning Commission grant alternative compliance to allow areas on the mixed-use buildings and the above ground parking garage to be blank and over 25 feet in length.
- **At least 30 percent of the walls on the first floor and at least 10 percent of the walls on the upper floors that face a public street, public sidewalk, public pathway or on-site parking lot shall be windows.** The percentage of windows on the first floor facing Portland Avenue is 11 percent and the percentage of window on the first floor facing Park Avenue is 22 percent in the eastern mixed-use building. The percentage of windows on the first floor facing 5th Avenue South is 11 percent and the percentage of window on the first floor facing Portland Avenue is 22 percent in

the western mixed-use building. And in the above ground parking garage none of the window requirements are being met. There are additional “windows” on the Portland Avenue side of the eastern mixed-use building and on the 5th Avenue South side of the western mixed-use building, but they do not count towards the minimum required because they are incorporated into the doors on these sides of the buildings. If these “windows” did count there would be 27 percent windows on each of these sides of the buildings. As for the other sides of the mixed-use buildings, they have been designed to hold the “back of house” functions. In such large buildings it is reasonable to expect one side of the building to be less active than the others. As for the parking garage, it is not fully enclosed so a certain percentage of each elevation needs to remain open. Because of this the parking garage has been designed using more architectural materials that allow air to pass through them such as the living wall system. For the reasons listed above, CPED is recommending that the City Planning Commission grant alternative compliance to allow the above mentioned areas of the buildings to have less than the required minimum amount of windows.

- **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.** There are sides of the buildings that do not meet the ground floor active functions requirement. The Park Avenue side of the eastern mixed-used building has 58 percent active functions. The 5th Avenue South side of the western mixed-use building has 58 percent active functions. The 5th Avenue South side of the stand-alone residential building has 55 percent active function. Each building has frontage on three streets. In order to accommodate the “back of house” functions of such large buildings it is reasonable to expect one side of the building to be less active than the others. Given this, CPED is recommending that the City Planning Commission grant alternative compliance to allow the above referenced sides of the buildings to have less than the required amount of active functions. None of the parking garage sides meet the active functions requirements. The above ground parking garage has frontage on four streets. As proposed, the South 3rd Street, Park Avenue and Chicago Avenue sides of the above ground parking garage are dedicated to parking spaces but the applicant is reserving space for future commercial, residential, office or hotel uses along Chicago Avenue and South 3rd Street. CPED is recommending that commercial, residential, office or hotel uses be included along Chicago Avenue as part of the initial construction of the above ground parking garage. CPED is recommending that the City Planning Commission grant alternative compliance to allow the above referenced sides of the above ground parking garage to have less than the required amount of active functions.

PRELIMINARY REGISTERED LAND SURVEY – RLS-71

Required Findings:

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

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

land subdivision regulations.

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

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

The applicant will own all of the land where the mixed-use and stand-alone buildings will be constructed so this provision is not necessary. The City of Minneapolis will eventually purchase the land for the public park and the Minnesota Sports Facilities Authority (MSFA) will ultimately own the above ground parking garage.

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

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

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

The applicant will own all of the land where the mixed-use and stand-alone buildings will be constructed so this provision is not necessary. The City of Minneapolis will eventually purchase the land for the public park and the Minnesota Sports Facilities Authority (MSFA) will ultimately own the above ground parking garage.

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

The applicant will own all of the land where the mixed-use and stand-alone buildings will be constructed so this provision is not necessary. The City of Minneapolis will eventually purchase the land for the public park and the Minnesota Sports Facilities Authority (MSFA) will ultimately own the above ground parking garage.

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

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

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

The applicant is proposing to replat several lots into several new tracts.

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

The land intended for building can be used safely without endangering the residents or users of the subdivision or the surrounding area because of flooding, erosion, high water table, soil conditions, improper drainage, steep slopes, rock formations, utility easements or other hazard. The site is relatively flat.

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

The parcels created by this application present no foreseeable difficulties for this development. No significant alterations to the land appear necessary.

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

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

RECOMMENDATIONS

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

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the conditional use permit application for a planned unit development that includes approximately 1.5 million square feet of office space, approximately 20,000 square feet of commercial space, 203 dwelling units and a principal parking facility located at 627, 701, 713 and 719 3rd Street South, 500, 501, 521, 628, 700, 716 and 728 4th Street South, 301, 329, 416 and 425 Portland Avenue, 520 5th Street South and 350 Park Avenue subject to the following conditions:

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1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within two years of approval.
2. The commercial, residential, office or hotel uses shall be included along Chicago Avenue as part of the initial construction of the above ground parking garage.
3. The skyway over 5th Avenue South shall be designed so as to not require a support column in the public sidewalk. If this is not feasible for structural reasons, the support column shall be designed so the sidewalk has a minimum unobstructed width of eight feet.
4. As required by section 527.120 of the zoning code, the development shall comply with the standards for some combination of the following amenities from Table 527-1, Amenities totaling a minimum of 20 points: Leadership in Energy and Environmental Design (LEED), plaza, energy efficiency, living wall system, shared vehicle, enhanced landscaping, enhanced stormwater management and a recycling storage area.
5. The applicant shall submit the LEED checklist and documentation, approved by a LEED Accredited Professional (LEED-AP), that shows that the project will comply with LEED Platinum certification requirements prior to building permits being issued.
6. The applicant shall submit documentation, including a letter signed by the owner or a licensed design professional, which shows that the building systems are designed to operate efficiently and exceed the Minnesota State Energy Code by at least 40 percent of the annual energy costs.
7. The living wall system shall be composed of panels that total a minimum of 60 percent of the wall area (13,860 square feet) of the north elevation of the above ground parking garage.
8. A portion of the plantings used in conjunction with the living wall system on the above ground parking garage shall provide greenery year round.
9. The areas where the future phases of the PUD will be located, including the north side of the mixed-use buildings and the south side of the above ground parking garage, shall be seeded and/or sodded.
10. The land that will be developed as a public park shall be seeded and/or sodded.
11. Roof signs shall be prohibited.
12. There shall be no signs located on the non-primary building walls of the mixed-use buildings facing South 3rd Street.

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

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the site plan review application for a planned unit development located at 627, 701, 713 and 719 3rd Street South, 500, 501, 521, 628, 700, 716 and 728 4th Street South, 301, 329, 416 and 425 Portland Avenue, 520 5th Street South and 350 Park Avenue subject to the following conditions:

1. Approval of the final site, landscaping, elevation and lighting plans by the Department of Community Planning and Economic Development.
2. All lighting shall comply with the regulations of Chapter 535, Regulations of General Applicability and Chapter 541, Off-Street Parking and Loading.
3. All site improvements shall be completed by November 12, 2015, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
4. There is mechanical equipment shown between the mixed-use buildings and 5th Avenue South, Portland Avenue and Park Avenue. There may also be mechanical equipment located between the stand-alone residential building and 5th Avenue South. If the mechanical equipment is not located below ground, the mechanical equipment shall be screened with decorative fencing or landscaping.
5. There shall be stairs and entry stoops leading to at least three of the ground floor residential units within the stand-alone residential building facing 5th Avenue South.
6. The building footprints shall be located where shown on the submitted plans.
7. There shall be no blank walls over 25 feet in length on the stand-alone residential building.

Recommendation of the Department of Community Planning and Economic Development for the preliminary registered land survey:

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the preliminary registered land survey application for the property located at 627, 701, 713 and 719 3rd Street South, 500, 501, 521, 628, 700, 716 and 728 4th Street South, 301, 329, 416 and 425 Portland Avenue, 520 5th Street South and 350 Park Avenue.

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Attachments:

1. Preliminary Development Review report from October 9, 2013
2. Project description
3. Orientation plan
4. Summary of building and parking data
5. Conditional use permit findings
6. PUD and plaza description, shadow analysis, LEED checklist and HVAC analysis
7. TDMP
8. Subdivision findings, including copies of the preliminary and final RLS
9. RLS approval letter from Public Works
10. October 14, 2013, email to Council Member Goodman, Downtown East, Downtown Minneapolis Neighborhood Association and Elliot Park
11. Letters from the neighborhood organizations and the public
12. Zoning Map
13. Cite and civil plans
14. Skyway plans
15. Mixed-use building plans
16. Stand-alone housing plans
17. Above ground parking garage plans
18. Master sign plan
19. Context studies, renderings, and photos of surrounding properties