

Department of Community Planning and Economic Development
Conditional Use Permits, Variances, Site Plan Review
BZZ-6323

Date: December 2, 2013

Applicant: Bruce Knutson

Address of Property: 4136, 4140, 4152 Dight Avenue

Project Name: 42 Dight Lofts

Contact Person and Phone: Bruce Knutson, 952-314-7189

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

Date Application Deemed Complete: November 8, 2013

End of 60-Day Decision Period: January 7, 2014

End of 120-Day Decision Period: N/A

Ward: 12 **Neighborhood Organization:** Hiawatha Neighborhood

Existing Zoning: R5/Multiple-Family District

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 33

Lot area: 20,278 square feet or approximately 0.47 acres

Legal Description: Not applicable for this application

Proposed Use: Allow for the completion a 12-unit cluster development with two, six-unit buildings at 4136, 4140, and 4152 Dight Avenue.

Concurrent Review:

- Conditional use permit to allow for a cluster development;
- Conditional use permit to increase the height of a cluster development from 2.5 stories to 4 stories;
- Variance to reduce the front yard setback from 15 feet to 1'-3";
- Variance to reduce the south interior side yard setback from 11 feet to 0 feet;
- Site plan review.

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

Background: The proposed project is part of a two-phase, three-building residential development known as the 42nd Street Studios that was originally approved in 2003. The first phase, which is located at the northwest corner of Dight Avenue and 42nd Street East (formerly addressed as 3422 East 42nd Street now addresses as 4150 Dight Avenue) contains a four-story, seven-unit residential building (BZZ 1154). The partial fourth story, which was approved as part of an amendment to the original approvals, provides access to the individual rooftop terraces (BZZ 2256).

In 2003, shortly after the original approvals for Phase I, the second phase of the 42nd Street Studios development was approved to redevelop two parcels (4140 and 4152 Dight Avenue). The original proposal was a cluster development at 4140 and 4152 Dight Avenue with eight units; two, four-unit buildings (BZZ-1233). In 2005, the applicant revised their proposed plans for the cluster development by expanding the development site to 4136 Dight Avenue and proposing two, six-unit buildings (BZZ-2257). The design of the buildings was similar to the Phase I building, including the partial fourth story that leads to individual rooftop terraces. The 2005 Phase II proposal received City Planning Commission approval with the following conditions of approval:

1. An easement shall be submitted guaranteeing perpetual vehicular access to the site across the property to the south of the cluster development. Evidence of such easement shall be submitted to CPED prior to the issuance of a building permit.
2. The area along the north lot line shall be landscaped and screened to the standards of section 530.160 of the zoning code.
3. Prior to issuance of a certificate of occupancy, all land proposed for the cluster development shall be platted or replatted into one or more lots suitable for cluster development, and as such shall comply with all of the applicable requirements contained in Chapter 598, Land Subdivision Regulations.
4. The applicant must comply with all relevant ordinances and best management practices.
5. 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 as required by Section 530.120 of the zoning code except on the south elevations.
6. The walkway parallel to the north property line shall provide a continuous, accessible walking surface not less the four (4) feet in width from the public right of way to the common open space at the west end of the property.
7. Exterior lighting shall be reviewed and approved by CPED-Planning staff prior to obtaining a building permit.
8. CPED-Planning staff review and approval of the final site and landscaping plans, and fence and building elevations.

For Phase II, building permits were pulled in 2006 and construction started on the first building, commonly referred to as Building 2. However, it was never completed and their approvals have lapsed. As can be seen today, only the bearing walls and framing beams were constructed. Building 3 was never started.

Since the approvals of Phase I and Phase II of the 42nd Dight Lofts, the 38th Street Station Small Area Plan and 38th Street Station Rezoning Study were completed; 2006 and 2012 respectively. As part of the 2012 rezoning study, the west block face of Dight Avenue was rezoned from I1/Light Industrial to R5/ Multiple-Family District to encourage higher-density residential development.

Proposal: Bruce Knutson, who was the original project architect for Phase I and Phase II, is the applicant. He is representing TTCP, LLC/Power Line Inc, a new property owner of the site. The development team is proposing to complete Phase II of the 42nd Street Studios nearly identical to what was approved in 2005; a 12-unit cluster development with two, six-unit buildings at 4136, 4140, and 4152 Dight Avenue (the Phase I building would not be a part of the cluster development). All of the units in Phase II are proposed to be two bedrooms. The project would complete construction on the existing building, Building 2. The applicant provided an engineer's structural analysis stating that the existing structure is structurally sound and able to be used. Phase II would also construct the second building, Building 3.

As in 2005, conditional use permits are required to allow for a cluster development and to allow for an increase in the height of a cluster development from 2.5 stories to 4 stories. In addition, since the properties were rezoned from I1 to R5, two setback variances are also required.

Staff has not received official correspondence from the Longfellow Neighborhood Council or other stakeholders prior to the printing of this report. All correspondence received prior to the Planning Commission meeting will be forwarded on for consideration.

CONDITIONAL USE PERMIT – Allow for a cluster development

Findings as Required by the Minneapolis Zoning Code:

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

1. Will not be detrimental to or endanger the public health, safety, comfort or general welfare.

The proposed 12-unit cluster development will not be detrimental to or endanger the public health, safety, comfort, or general welfare of the surrounding area. The project site has historically been used for residential uses. The rezoning of the properties from I1/Light Industrial to R5/ Multiple-Family District in 2012 reflects the city's long range plan of having higher-density residential uses on the west block face of Dight Avenue.

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

The cluster development will not be injurious to the use and enjoyment of other property in the vicinity. It will also not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district. Dight Avenue between 41st Street East and 42nd Street East contains single and multifamily residential uses; industrial and commercial uses are located to the west. In 2012, the west block face of Dight Avenue was rezoned to R5/ Multiple-Family District to encourage higher-density residential development. The applicant is proposing two multifamily residential structures as part of a cluster development. As was proposed in 2005, the applicant would have both buildings setback further from the northern interior property line in order to improve the transition between the proposed multiple-family buildings and the existing single-family dwelling at 4134 Dight Avenue. Completion of the proposed cluster development will benefit the neighboring residential and non-residential uses with more eyes on the street. The proposed density of the project is compatible with the new multifamily development directly to the south and will help support the public transit and commercial uses in the area.

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

Adequate utilities, access roads, drainage, necessary facilities will be provided. In June 2006, the Public Works Department provided final approval for the proposed utilities and access roads for the development (PDR 1000046). The applicant is proposing a similar utility and access plan today. Public Works will review the project to be in compliance with current standards. Both phases for the 42 Dight Lofts project will access their parking via one curb cut (existing) on East 42nd Street to the attached garages on the interior of the site. Therefore, the parking garages on Phase II will require access across the property to the south. The applicant must furnish an easement agreement across the property to provide perpetual access to the site in question. The applicant is also proposing to improve the pedestrian access along Dight Avenue by building a sidewalk the extent of their project along Dight Avenue. In addition, the applicant is proposing to build a walkway along the entire perimeter of the buildings to help with interior circulation.

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

Adequate measures have been taken to minimize traffic congestion in the public streets. The applicant proposes to meet/exceed the minimum number of required off-street vehicle and bike parking spaces by providing at least one vehicle parking space and at least one bike parking space per residential unit. In addition, the project is well served by mass transit. The project is within two blocks of Bus Route #7 and #9 and approximately six blocks away from the 38th and 46th Street LRT stations that provide access to the Blue LRT line and additional bus routes. Furthermore, the applicant is proposing to minimize the disruption to on-street parking and pedestrians on sidewalks by only having one curb cut on 42nd Street East for both phases of the 42 Dight Lofts project.

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

The proposed cluster development is consistent with the following general land use policies of *The Minneapolis Plan for Sustainable Growth*:

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Land Use Policy 1.1: Establish land use regulations to achieve the highest possible development standards, enhance the environment, protect public health, support a vital mix of land uses, and promote flexible approaches to carry out the comprehensive plan. This policy includes the following applicable implementation step: (1.1.5) Ensure that land use regulations continue to promote development that is compatible with nearby properties, neighborhood character, and natural features; minimizes pedestrian and vehicular conflict; promotes street life and activity; reinforces public spaces; and visually enhances development.

Land Use Policy 1.2: Ensure appropriate transitions between uses with different size, scale, and intensity. This policy includes the following applicable implementation step: (1.2.1) Promote quality design in new development, as well as building orientation, scale, massing, buffering, and setbacks that are appropriate with the context of the surrounding area.

Land Use Policy 1.3: 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. (1.3.2) Ensure the provision of high quality transit, bicycle, and pedestrian access to and within designated land use features.

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

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

Housing Policy 3.2: Support housing density in locations that are well connected by transit, and are close to commercial, cultural and natural amenities. 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.

Housing Policy 3.6: Foster complete communities by preserving and increasing high quality housing opportunities suitable for all ages and household types. This policy includes the following applicable implementation steps: (3.6.1) Promote the development of housing suitable for people and households in all life stages that can be adapted to accommodate changing housing needs over time. (3.6.2) Promote housing development in all communities that meets the needs of households of different sizes and income levels. (3.6.4) Provide and maintain moderate and high-density residential areas, as well as areas that are predominantly developed with single and two family structures.

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

Urban Design Policy 10.15: Wherever possible, restore and maintain the traditional street and sidewalk grid as part of new developments. This policy includes the following applicable implementation step: (10.15.4) Improve access management and way-finding to and from all streets, sidewalks, and other pedestrian connections.

Urban Design Policy 10.19: 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. This policy includes the following applicable implementation step: (10.19.1) In general, larger, well-placed, contiguous planting areas that create and define public and private spaces shall be preferred to smaller, disconnected areas.

Urban Design Policy 10.22: Use Crime Prevention Through Environmental Design (CPTED) principles when designing all projects that impact the public realm, including open spaces and parks, on publicly owned and private land. This policy includes the following applicable implementation steps: (10.22.1) Integrate “eyes on the street” into building design through the use of windows to foster safer and more successful commercial areas in the city. (10.22.2) Orient new housing to the street to foster safe neighborhoods. (10.22.5) Locate landscaping, sidewalks, lighting, fencing and building features to clearly guide pedestrian movement on or through the site and to control and restrict people to appropriate locations.

The proposal is also consistent with the comprehensive plan’s future land use map. The subject properties are located in the urban neighborhood category of the future land use map. The urban neighborhood category is predominantly residential with a range of densities. For Phase II, the applicant is proposing approximately 26 units per acre, which is considered to be a medium-density residential development.

Furthermore, the applicant’s proposal is consistent with the 38th Street Small Area Plan that was adopted by the City Council in October 2006; approximately a year after the revised Phase II plan of the 42 Dight Lofts was approved. The small area plan breaks the plan area down into subdistricts that have particular land uses, character, and/or features. The subject properties are located in Hiawatha South subdistrict. The 38th Street Small Area Plan envisions that the Hiawatha South subdistrict “as primarily evolving toward a moderate density residential.” The plan also states that the “City will support redevelopment scenarios at appropriate scales.” The proposed completion of the 42 Dight Lofts is consistent with general guidance for the Hiawatha South area and the following applicable policies of the small area plan:

- Preservation of the Residential Neighborhood Core Policy 2.1. The plan should reinforce stable residential neighborhoods that are physically buffered from nonresidential land uses.
- Building Heights and Neighborhood Context 6.1. Heights of new buildings shall be related to their neighborhood context.
- Urban Design and Irregular Street Angles 8.1. Redevelopment and site planning should make creative use of areas formed by irregular street angles.

6. And, does in all other respects conform to the applicable regulations of the district in which it is located.

If the requested land use/zoning applications are approved, the proposal will comply with all provisions of the R5/Multiple-Family District.

Additional Criteria for Cluster Development

- (A) **Any application for cluster development approval shall include a development plan which shall consist of a statement of the proposed use of all portions of the land to be included in the cluster development and a site plan showing all existing and proposed development, including but not limited to the location of structures, parking areas, vehicular and pedestrian access, open space, drainage, sewerage, fire protection, building elevations, landscaping, screening and bufferyards, and similar matters, as well as the location of existing public facilities and services.**

The applicant has submitted a survey of the property and all required plans. Final civil drawings must be reviewed and approved by the Public Works Department.

- (B) **All land proposed for cluster development shall be platted or replatted into one or more lots suitable for cluster development, and as such shall comply with all of the applicable requirements contained in Chapter 598, Land Subdivision Regulations.**

The applicant has been informed that a plat application will be required prior to the issuance of building permits.

- (C) **The cluster development shall meet the minimum lot area and lot width requirements of the zoning district. There shall be no minimum lot area or lot width requirements for individual lots within the cluster development.**

The cluster development will meet the minimum lot area requirement of the R5/Multiple-Family District. The R5 zoning district requires that the project site have not less than 5,000 square feet. Combined, the subject parcels are 20,278 square feet. The cluster development will also meet the minimum lot width requirement of the zoning district. The R5 zoning district requires that the minimum width be at least 40 feet. The project site will be 133 feet in width.

- (D) Yards of at least such minimum width as required by the zoning district shall be maintained along the periphery of the cluster development. Yards for individual lots within the cluster development shall not be required. The distance between principal buildings within the cluster development shall be not less than ten (10) feet.**

In the R5/Multiple-Family District, residential uses with more than two units must provide interior and rear yards of five feet plus two feet for every story above the first. As applied to the applicant's proposal, the proposed four-story buildings must provide yards of not less than 11-feet along the north and south interior lot lines and the west (rear) lot lines. The applicant's proposal would comply with the north and west setback requirements. The applicant proposes a setback of approximately 13 feet from the north lot line (interior side yard) and 33 feet from the west lot line (rear yard). However, the applicant is seeking a variance to reduce the south setback from 11 feet to 0 feet (interior side yard). The distance between principal buildings within the cluster development would be 24 feet, which exceeds the 10-foot minimum requirement.

- (E) Not less than forty (40) percent of the land in a cluster development shall be designated as common space for the benefit of all of the residents of the development. Such common space shall be a contiguous area under common ownership or control and shall be located so that it is directly accessible to the largest practical number of dwellings within the development. Safe and convenient pedestrian access shall be provided to such common space for dwellings not adjoining such space. Common space shall include but is not limited to landscaped yards, recreation areas, wetlands, waterbodies and common parking facilities. However, not more than one-half of required common space shall consist of such parking facilities, driveways and private roadways. The city planning commission may approve alternatives to this requirement where strict adherence is impractical because of site location or conditions and the proposed alternative meets the intent of this section.**

Common open area in the cluster development, including the driveway, walkways, and landscaped areas, would total approximately 45 percent of the lot area (9,200/20,278). Approximately 49 percent of the common open space would be a contiguous landscaped area at the west and north end of the property (4,497 square feet). Approximately 32 percent would be asphalt driveway (2,915 square feet) that leads to the residential units attached garages, which meets the cluster development requirement that not more than one-half of the open space would consist of vehicle parking, driveways, and private roads. The remainder of the common space, approximately 17 percent, would be walkways and other surfaces (1,788 square feet).

- (F) To the extent practical, all new construction or additions to existing buildings shall be compatible with the scale and character of the surroundings, and exterior building materials shall be harmonious with other buildings in the neighborhood. Not less than eighty (80) percent of the habitable floor area of single or two family dwellings and multiple family dwellings of three (3) and four (4) units shall have a minimum width of twenty-two (22) feet. Cluster developments not otherwise governed by Chapter 530, Site**

Plan Review, shall comply with the principal entrance and windows requirements of Chapter 535, Regulations of General Applicability. The city planning commission may approve alternatives to this requirement where strict adherence is impractical because of site location or conditions and the proposed alternative meets the intent of this section.

The new construction is compatible with the scale and character of the surroundings. The applicant proposes two buildings having four stories each, both with an overall height of approximately 49 feet. Even though the buildings are considered four-story buildings by the zoning code, the fourth floor on both buildings are partial floors that span less than a third of the building's overall depth. The fourth floor on both buildings will have minimal visibility from Dight Avenue, which helps the buildings relate to the neighboring residential structures. The buildings would be brick on all sides except for the metal-clad fourth story. The surrounding area includes a mix of uses, including a nearly identical building to the proposed buildings just to the south; one-and-a-half story dwellings are located to the north and east, and industrial buildings varying in scale are located to the west. The buildings would meet minimum width requirements for a cluster development. Please see the Site Plan Review analysis related to window and entrance requirements.

- (G) An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening and other site improvements consistent with the character of the neighborhood.**

The project would comply with the required yards on the north and west sides. The applicant is proposing to landscape along the north lot line and include fencing to help with the transition between the multi-family project and the single-family dwelling at 4134 Dight Avenue.

- (H) Any cluster development which includes a manufactured home or a manufactured home park shall be first allowed in the R2 Two-family District.**

The project would not include manufactured housing.

CONDITIONAL USE PERMIT – To allow for an increase in height in the R5 District from 2 ½ stories to four stories.

Findings as Required by the Minneapolis Zoning Code:

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

- 1. Will not be detrimental to or endanger the public health, safety, comfort or general welfare.**

Increasing the maximum permitted height of the two buildings within the cluster development from 2-1/2 to 4 stories would not be detrimental to public health, safety, comfort, or welfare. The increased height would not affect visibility of public spaces from adjacent properties. Even though the buildings are considered four-story buildings by the zoning code, the fourth floor on both buildings are partial floors that span less than a third of the building's overall depth, which helps the buildings relate to the neighboring residential structures along Dight Avenue. The two buildings would be built to the same height as the new multifamily building to the south, 49 feet. This height is less than the R5/Multiple-Family District height maximum of 56 feet.

- 2. 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 residential building to the north, 4134 Dight Avenue, is situated 12.75 feet from the north lot line of the proposed cluster development. The cluster development would be located 13 feet from this shared property line, creating a separation of 25.75 feet between the buildings. Further, the location of the proposed 24-foot wide driveway for the cluster development would allow additional light and air for the property to the north of the cluster development.

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

The increase in the maximum permitted height would not have an adverse impact on utilities, access roads, drainage, and necessary facilities.

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

Increasing the maximum permitted height of the two structures in question would not have an adverse impact on traffic congestion. The applicant is proposing to provide off-street parking for vehicles and bicycles that exceed the zoning code requirements.

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

The proposed project is in compliance with the Minneapolis Plan for Sustainable Growth. See conditional use permit finding 5 for the cluster development for a review of the project in compliance with the policies and implementation steps of the comprehensive plan. The policies and implementation steps outlined in finding 5 of the conditional use permit for the cluster development apply to the conditional use permit for the request to have an increase in height.

- 6. And, does in all other respects conform to the applicable regulations of the district in which it is located upon approval of this conditional use permit, rezoning, and site plan review.**

If the requested land use/zoning applications are approved, the proposal will comply with all provisions of the R5/Multiple-Family District.

Additional Criteria to Increase the Maximum Permitted Height

(1) Access to light and air of surrounding properties.

As noted above, the development proposal would allow a separation of approximately 25.75 feet between the buildings in the cluster development and the existing single-family dwelling to the north, 4134 Dight Avenue. Further, the location of the proposed 24-foot wide driveway for the cluster development would provide light and air to the property to the north.

(2) Shadowing of residential properties or significant public spaces.

Although the property to the north would experience some increased shadowing as a result of the height increase, the significant distance between the proposed buildings and the dwelling to the north (25.75 feet) and the location of the “gap” between the two buildings within the cluster development would combine to minimize shadowing of the dwelling to the north.

(3) The scale and character of surrounding uses.

The height would exceed that of most other residential buildings on the block. However, the surrounding area includes buildings varying in height and scale. CPED recommended approval and the Planning Commission approved a four-story building in Phase I of the 42 Dight Lofts project, immediately to the south of the proposed cluster development. The applicant is proposing a building to the same height as the building approved in Phase I. In addition, in 2012, the City Council approved a rezoning study for the 38th Street Station Area that rezoned the Dight Avenue western block face between 41st Street East and 42nd Street East to R5/Multiple-Family District. The rezoning to R5 was to encourage higher density uses.

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

Residential dwellings in the area currently do not have views of landmark buildings and no significant open spaces or water bodies exist in the immediate area.

VARIANCE – (1) Variance to reduce the front yard setback from 15 feet to 1’-3””; (2) Variance to reduce the interior side yard setback from 11 feet to 5 feet.

Findings as Required by the Minneapolis Zoning Code for the Variance:

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

Variance to reduce the front yard setback from 15 feet to 1’-3””; Per the R5/Multiple-Family District requirements, a 15-foot setback is required along the front property line. The applicant is proposing that the building be setback 1’-3” from the front property line. Practical difficulties exist in

complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone. The subject properties are along a street that was built at a 60-degree angle, which is a unique street design for Minneapolis lots. In addition, a previously approved cluster development was approved for this site that contains the shell of one of the two buildings. The location of the existing building puts constraints on where the second building can be located. The applicant is proposing to have a 24-foot wide, two-way drive aisle between the buildings to provide required off-street parking. In order to place the second building that activates Dight Avenue and provides modest sized living space for future tenants (approximately 2,407 square feet); a front yard setback variance is required.

Variance to reduce the interior side yard setback from 11 feet to 0 feet: Per the R5/Multiple-Family District requirements, an 11-foot interior side yard setback is required along the southern property line for the four-story buildings. The applicant is proposing to have the existing building, Building 2, remain three feet from the interior property line and to build the new structure, Building 3, along the southern interior property line. Practical difficulties exist in complying with the interior side yard setback requirement because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone. The street design of Dight Avenue, which was built at a 60-degree angle, is a unique street design for Minneapolis lots. In addition, there is a substantial difference between what the subject properties allow for development density and the existing lower-density residential character of the adjacent property to the north. The applicant is proposing to place the buildings further from the lower-density residential structure to the north than is required in order to improve the transition between the different residential uses.

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

Variance to reduce the front yard setback from 15 feet to 1'-3": The proposal to reduce the front yard setback from 15 to 1'-3" at the closest point is a reasonable request and will be in keeping with the spirit of the ordinance and comprehensive plan. The intent of having yard controls is to provide for orderly development and to minimize conflicts between adjacent land uses. The cluster development project is proposing to have the same front yard setback as the multiple-family building to the south, 1'-3". It is recognized that Building 3 would be located well in front of the single family building to the north, however, there is approximately 25.75 feet between the single-family building and the proposed building, which helps reduce the conflict between the lower and medium density uses.

Variance to reduce the interior side yard setback from 11 feet to 0 feet: The proposal to reduce the south interior side yard setback is a reasonable request and will be in keeping with the spirit of the ordinance and comprehensive plan. The intent of having yard controls is to provide for orderly development and to minimize conflicts between adjacent land uses. The applicant is proposing to reuse the shell of Building 2, which was built in 2006. Building 2 was approved to be three feet from the southern interior property line. Building 3 is proposed to be built to the southern property line. By

locating the two multifamily buildings closer to the southern property line, it minimizes the conflict between the multifamily buildings and the single family building to the north. The placement of the Building 3 at the property line will provide six feet of separation between this building and the existing multiple family building at 4150 Dight Avenue (formerly 3422 East 42nd Street). As proposed, conflict between the proposed and existing multiple-family would be minimal given that the existing building does not have windows along this elevation and the proposed building is not proposed to have windows along this elevation.

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

Variance to reduce the front yard setback from 15 feet to 1'-3": The proposal to reduce the front yard setback variance from 15 feet to 1'-3" will not alter the essential character of the locality or be injurious to the use or enjoyment of other property. Granting of the variance will also not be detrimental to the health, safety, or welfare of the general public or those utilizing the property or nearby properties. The neighboring multifamily building to the south is a nearly identical design and located the same distance to Dight Avenue as what the proposed building would be located, 1'-3". The applicant has taken measures to reduce the building's impact on the single-family building to the north by locating the building further to the south than what was required. The distance between the proposed building and the single-family building to the north will be approximately 25.75 feet. In addition, by allowing the building to be set closer to the front property line than what is allowed, the proposed development provides a 24-foot wide open space in the middle portion of the single-family house, thus increasing the amount of air and light for the neighboring property.

Variance to reduce the interior side yard setback from 11 feet to 0 feet: The proposal to reduce southern interior side yard setback will not alter the essential character of the locality or be injurious to the use or enjoyment of other property. Granting of the variance will also not be detrimental to the health, safety, or welfare of the general public or those utilizing the property or nearby properties. The neighboring multifamily building to the south is a nearly identical design to Building 3 and located six feet from the shared interior property line. The existing building to the south does not have windows along this elevation. As proposed, the new building would also not have windows along this elevation.

SITE PLAN REVIEW

Findings as Required by the Minneapolis Zoning Code:

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

Section A: Conformance with Chapter 530 of Zoning Code
BUILDING PLACEMENT AND DESIGN:

- Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.
- First floor of the building shall be located not more than eight (8) feet from the front lot line (except in C3S District or where a greater yard is required by the zoning ordinance). If located on corner lot, the building wall abutting each street shall be subject to this requirement.
- The area between the building and the lot line shall include amenities.
- The building shall be oriented so that at least one (1) principal entrance faces the public street. In the case of a corner lot, the principal entrance shall face the front lot line.
- Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.
- For new construction, the building walls shall provide architectural detail and shall contain windows as required by Chapter 530 in order to create visual interest and to increase security of adjacent outdoor spaces by maximizing natural surveillance and visibility.
- In larger buildings, architectural elements, including recesses or projections, windows and entries, shall be emphasized to divide the building into smaller identifiable sections.
- Blank, uninterrupted walls that do not include windows, entries, recesses or projections, or other architectural elements, shall not exceed twenty five (25) feet in length.
- Exterior materials shall be durable, including but not limited to masonry, brick, stone, stucco, wood, metal, and glass.
- The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.
- The use of plain face concrete block as an exterior material shall be prohibited fronting along a public street, public sidewalk, public pathway, or adjacent to a residence or office residence district.
- Entrances, windows, and active functions:
 - Residential uses:
 - Principal entrances shall be clearly defined and emphasized through the use of architectural features such as porches and roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Twenty (20) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:
 - a. Windows shall be vertical in proportion.
 - b. Windows shall be distributed in a more or less even manner.
 - Nonresidential uses:
 - Principal entrances shall be clearly defined and emphasized through the use of architectural features such as roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Thirty (30) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first

that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:

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

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

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

- **Ground floor active functions:** Except for industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, the first floor or ground level of buildings shall be designed to accommodate active functions by ensuring that parking, loading, storage, or mechanical equipment rooms are limited to no more than thirty (30) percent of the linear building frontage along each wall facing a public street, public sidewalk, or public pathway.
 - The form and pitch of roof lines shall be similar to surrounding buildings.
 - **Parking Garages:** The exterior design shall ensure that sloped floors do not dominate the appearance of the walls and that vehicles are screened from view. In addition to compliance with minimum window requirements, principal and accessory parking garages shall comply with provisions requiring active functions on the ground floor. In the downtown districts, the more restrictive parking garage provisions of Chapter 549, Downtown Districts, shall apply.
-
- The street-fronting building would be constructed approximately 1'-3" from the front lot line. Having the building at this location will reinforce the street wall created by the first phase of the development. The applicant's proposal for the site will also improve pedestrian access along Dight Avenue by expanding the sidewalk and would facilitate pedestrian access throughout the site with walkways proposed along the perimeter of the buildings.
 - The cluster development, as noted above, would be located within eight feet of the front lot line.
 - The area between the building and the public sidewalk will include landscaping.

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- Individual entrances on the street-fronting building will face the public street and open directly to the public right of way.
- All of the enclosed parking will be located at the interior of the site in tuck-under garages.
- The proposed buildings contain architectural detail to create visual interest. This includes front entrance canopies that emphasize front entrances and a decorative brick pattern on the front elevation. As designed, Building 3 contains windows on the east and west elevations that creates visual interest and increase security of adjacent outdoor spaces by maximizing natural surveillance and visibility.
- The proposed south elevations of the two buildings would feature blank walls in excess of 25 feet in length. Staff recommends that the Commission allow this by granting alternative compliance. Strict adherence to the requirement is impractical or unnecessary in this case because, 1) The front building is separated from the adjacent building to the south by a walkway that would separate the building from another blank wall approximately six feet away (the north side of the phase I building) and will not be visible from adjacent properties or the public right of way, and 2) the rear building fronts on an office/industrial development and high quality materials will be used. However, the Commission should require compliance with the blank wall limitations on all other walls of the buildings. The north elevations of both buildings have blank walls exceeding 25 feet in width on the first and second floors. These walls face a residence and should comply with the regulations of Chapter 530 (as the east and west elevations comply).
- The exterior of the buildings on the first three floors would be brick on all sides. The fourth floor would be clad in corrugated metal.
- Plain face concrete block would not be used.
- As previously noted, the entrances would be emphasized with canopies. Windows are required on the east elevation facing Dight Avenue. Approximately 41 percent of the first floor facing the street would be windows (where 20 percent is required) and 51 percent of the second and third floor would be windows (where 10 percent is required). On the fourth floor area located above the parapet and facing the street, 16 percent of the wall area would be windows (where 10 percent is required). The windows would be proportionate to the wall area.
- The proposed parking will not dominate the appearance of the interior elevations as the parking area is the first floor of the buildings and the garages are screened by the two buildings of the cluster development. Chapter 530 requires that the parking, loading, storage, and mechanical equipment room area be limited to thirty (30) percent of the linear building frontage along each wall facing a public street, public sidewalk, or public pathway. The applicant's proposed parking will span the entire west elevation on Building 2 and the entire east elevation on Building 3. However, both elevations are on the interior of the site and will not face a public street, public sidewalk, or public pathway.
- The roof would be flat with a shed roof on the partial fourth floor. Both are compatible with the varied roof lines of the surrounding uses.

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.**
 - The front entrances would open to short individual walkways connecting to a newly constructed public sidewalk along Dight Avenue. The western building would also be connected to the public sidewalk by a walkway along the north side of the property.
 - There are no transit shelters on or adjacent to the site.
 - The project would share vehicular access with the building to the south, which is accessed from 42nd Street East. This shared arrangement will minimize conflicts between pedestrians and vehicles by minimizing the number of curb cuts.
 - There are no public alleys adjacent to the site.
 - Impervious surfaces would be minimized to the extent practical after considering minimum drive aisles and walkways.

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.**
 - The site in question has approximately 20,278 square feet of area. The building footprints would total approximately 10,960 square feet, leaving 9,318 square feet of net site area. At least 20 percent of the net site area, or 1,864 square feet, should be landscaped. The applicant is proposing to have 4,497 square feet of the site landscaped, which is 48 percent of the net site area. Based on the amount of required green space, four trees and 19 shrubs would be required. 10 trees are shown on the site and approximately 68 shrubs. The applicant is proposing additional landscaping along the northern property line that will be a continuous hedge to help improve the transition area between the cluster development and the single-family dwelling to the north. The applicant proposes to landscape in the public right of way and plant trees in the right of way. Landscaping in the right of way requires an encroachment permit and any removal or planting of trees in the right of way requires approval from the Park Board.
 - There is no proposed parking and loading facilities located along a public street, public sidewalk, or public pathway.
 - The landscaping must be properly installed and maintained.
 - Turf must cover all areas that are not paved or landscaped.

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.**

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- Concrete curbing would be installed around the maneuvering area, but the applicant is encouraged to explore the potential for on-site retention of stormwater.
- The site plan will not have an adverse impact on views of important elements of the city.
- The applicant's proposed buildings will not shadow a public space. The applicant has made efforts to reduce the shadowing impact on the single-family dwelling to the north by exceeding the zoning district requirement of 11 feet.
- The proposed buildings are located and arranged to have a negligible impact on the generation of wind currents at ground level.
- The site plan includes crime prevention design elements as specified in Section 530.260. The buildings exceed the window requirement on the primary elevation facing Dight Avenue which will provide eyes on the street. The project also features territorial reinforcement and space delineation with the proposed plantings along Dight Avenue. Natural access control will be completed through the walkups to the residential units and the walkways on the perimeter of the building. Lighting must comply with Chapters 535 and 541.
- No buildings on the site are locally designated or determined to be eligible to be locally designated.

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

ZONING CODE - The proposed cluster development is a conditional use in the R5/Multiple-Family District. If all land use/zoning applications are approved, including the conditional use permits, variances, and site plan review, the proposal would comply with all provisions of the R5/Multiple-Family District. As stated in condition #5 of the conditional use permit reviewing the cluster development, the proposed project is consistent with the 38th Street Station Small Area Plan.

Parking and Loading:

Minimum automobile parking requirement: The zoning code requires that residential units provide one off-street parking space per dwelling unit. The proposed project includes 12 units. The applicant is proposing to provide 22 enclosed parking spaces.

Maximum automobile parking requirement: The zoning code does not contain a maximum automobile parking requirement for this development.

Bicycle parking requirement: Chapter 541 requires a multiple-family dwelling with five or more units provide one bike parking space per two dwelling units. The project includes 12 units. The applicant is proposing to provide 12 bike parking spaces.

Loading: There is no loading requirement for the proposed 12-unit cluster development.

Dumpster screening: Section 535.80. Refuse storage containers shall be enclosed on all four (4) sides by screening compatible with the principal structure not less than two (2) feet higher than the refuse container or shall be otherwise effectively screened from the street, adjacent residential uses

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located in a residence or office residence district and adjacent permitted or conditional residential uses. The applicant is proposing to have the residential units have individual garbage containers.

Signs: No signs have been proposed. Any sign(s) proposed will be expected to comply with Chapter 543 of the Zoning Code and will require a separate permit from CPED.

Lighting: All lighting will need to be downcast and shielded to avoid undue glare. All lighting shall comply with Chapters 535 and 541 and CPED shall review the details of the fixtures in the final review prior to permit issuance.

Maximum Floor Area: The maximum floor area ratio (F.A.R.) for a cluster development in the R5 Zoning District is 2.0. The proposed development would have a F.A.R. of 1.5. The proposed development contains 30,346 square feet of gross floor area. The lot area of the project site is 20,278 square feet.

Minimum Lot Area: The cluster development site with 20,278 square feet exceeds the minimum lot area requirement of 5,000 square feet.

Dwelling Units per Acre: With 12 dwelling units on a site having 20,278 square feet of lot area, the proposal would have 26 dwelling units per acre.

Height: Maximum building height for a multiple-family dwelling in the R5/Multiple-Family District is four stories or 56 feet, whichever is less. However, the maximum height for a cluster development in the R5/Multiple-Family District is 2.5 stories, not to exceed 35 feet. The proposed development is four stories and 49 feet in height, which meets the requirement for multiple-family dwellings. However, it does not meet the height requirement for a cluster development. The applicant's request to increase the height to four stories is evaluated above in the conditional use permit section of this report above.

Yard Requirements: A front yard requirement of 15 feet is required and interior side yard/rear yards of 11 feet are required. The project would comply with the north interior side yard and the rear yard requirement. The applicant's request to vary the yard requirements for the front and south interior side yard are evaluated above in the variance section of this report.

Specific Development Standards: See conditional use permit review of the cluster development.

Building coverage: The maximum building coverage in the R5/Multiple-Family District is 70 percent. The footprint of Building 2 is 5,355 square feet and the footprint of Building 3 is 5526 square feet. The total building coverage of the two buildings would be 10,960 square feet. With a lot of 20,278 square feet, the lot coverage would be 54 percent.

Impervious surface area: The maximum impervious surface coverage in the R5/Multiple-Family District is 85 percent. With the buildings, driveway, and walkways, there would be approximately 15,800 square feet of impervious surface on the 20,278 square foot lot. Therefore, the project would have an impervious surface calculation of approximately 78 percent.

THE MINNEAPOLIS PLAN FOR SUSTAINABLE GROWTH:

The proposed project is in compliance with the Minneapolis Plan for Sustainable Growth. See conditional use permit finding 5 for the cluster development for a review of the project in compliance with the policies and implementation steps of the comprehensive plan. The policies and implementation steps outlined in finding 5 of the conditional use permit apply to the proposed site plan application.

Conformance with Applicable Development Plans or Objectives Adopted by the City Council:

The proposed project is in compliance with the 38th Street Station Area Plan. See conditional use permit finding 5 for the cluster development for a review of the project in compliance with the policies and implementation steps of the 38th Street Station Area Plan. The policies and implementation steps outlined in finding 5 of the conditional use permit apply to the proposed site plan application.

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.**
- *Blank walls:* The proposed south elevations of Building 2 and Building 3 would feature blank walls in excess of 25 feet in length. Staff recommends that the Planning Commission allow this by granting alternative compliance. Strict adherence to the requirement is impractical or unnecessary in this case because, 1) The front building is separated from the adjacent building to the south by a walkway that would separate the building from another blank wall approximately six feet away (the north side of the phase I building) and will not be visible from adjacent properties or the public right of way, and 2) the rear building fronts on an office/industrial development and is proposed to be built with high quality materials and will have a greater window percentage than what is required. However, the Commission should

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require compliance with the blank wall limitations on all other walls of the buildings. The north elevations of both buildings have blank walls exceeding 25 feet in width on the first and second floors. These walls face a residence and should comply with the regulations of Chapter 530 by providing Additional glazing.

RECOMMENDATIONS

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

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the application for a conditional use permit for a 12-unit cluster development located at 4136, 4140, and 4152 Dight Avenue subject to the following conditions:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within two years of approval.
2. An easement shall be submitted guaranteeing perpetual vehicular access to the site across the property to the south of the cluster development. Evidence of such easement shall be submitted to CPED prior to the issuance of a building permit.
3. Prior to issuance of building permits, all land proposed for the cluster development shall be platted or replatted into one or more lots suitable for cluster development, and as such shall comply with all of the applicable requirements contained in Chapter 598, Land Subdivision Regulations.
4. The applicant must comply with all relevant ordinances and best management practices related to erosion control and construction site management.

Recommendation of the Department of Community Planning and Economic Development for the conditional use permit to increase the height of a cluster development:

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the application for a conditional use to increase the height of the buildings in the cluster development from 2.5 stories to 4 stories at 4136, 4140, and 4152 Dight Avenue.

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

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the variance application to reduce the

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front yard setback from 15 feet to 1'-3" for the proposed cluster development at 4136, 4140, and 4152 Dight Avenue subject to the following condition:

1. An encroachment permit is approved by Public Works for the proposed landing and stairs.

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

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the variance application to reduce the south interior side yard setback from 11 feet to 0 feet for the proposed cluster development at 4136, 4140, and 4152 Dight Avenue.

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

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the application for site plan review for a 12-unit cluster development at 4136, 4140, and 4152 Dight Avenue, subject to the following conditions:

1. CPED staff shall review and approve the final site, elevation, lighting and landscaping plans.
2. All site improvements shall be completed by December 2, 2015, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
3. 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 as required by Section 530.120 of the zoning code except on the south elevations. The applicant shall provide additional glazing.
4. Exterior lighting shall be reviewed and approved by CPED staff prior to obtaining a building permit.

Attachments:

1. Project description
2. Statement to findings
3. Correspondence neighborhood and council member
4. Zoning Map, aerials, and images
5. Plan set: Survey, site plan, lighting plan, landscape plan, floor plans, elevations
6. Engineer report: Building 2