

**Department of Community Planning and Economic Development—Planning Division
Conditional Use Permit (Amending the Planned Unit Development), Site Plan Review, and
Final Plat
BZZ-2301 and PL-123**

Hearing Date: 6/13/05 (continued from the 5/9/05 and 5/23/05 hearings)

Applicant: BD St. Anthony Mills LP, c/o Brighton Development Corp., 614 N. 1st St., Suite 100, Minneapolis, MN 55401

Address of Property: 720 Washington Ave. S.

Project Name: St. Anthony Mills Apartments

Contact Person and Phone: Danielle Salus, Brighton Dev. Corp. (voice: 612-332-5664 X 8, fax: 332-1250, email: dsalus@brightondevelopment.com)

Staff Contact Person and Phone: J. Michael Orange, City Planner (voice: 612-673-2347; facsimile: 673-2728; TDD: 673-2157; e-mail: michael.orange@ci.minneapolis.mn.us)

Date Application Deemed Complete: 4/4/05

End of 60-Day Decision Period: While the original 60-day decision period was to end on 6/3/05, the federal Section 106 Review described below halted the “60-day clock” for the City's permit review process. The execution of a Memorandum of Agreement, which is expected prior to the Planning Commission hearing, will conclude the Section 106 Review process and restart the “60-day clock.”

End of second 60-Day Decision Period: N/A

Ward: 2 **Neighborhood Organization:** Downtown Minneapolis Neighborhood Assoc.

Existing Zoning:

- C3A, Community Activity Center District
- Downtown Height Overlay District
- Downtown Parking Overlay District

Zoning Plate Number: 14

Proposed Use: Construct the 5-story, 93-unit St. Anthony Mills Apartments to be located at 720 Washington Ave. S. The project also includes approximately 5,000 sq. ft. of first floor retail uses. This is phase three of the six-phase Planned Residential Development (PRD).

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Prior Approvals:

- **Development Agreement:** The City Council, acting in its capacity as the MCDA Board, granted development rights to Brighton Development Corp. for the two-block Parcel D project and created a tax-increment financing project for the site.
- **BZZ-832, approved 11/18/02:** Conditional Use Permit as a Planned Residential Development, Site Plan Review
- **Platting:**
 - Preliminary Plat (PL-123) approved 11/18/02
 - Final Plat—Outlot D of the New Mills District Second Edition (PL-123) approved 7/7/03
- **Federal Environmental Assessment:** Close of public comment period, 9/14/03. Finding of No Significant Impact pending completion of the federal Section 106 Review.

Concurrent Review:

- Amend the existing Conditional Use Permit / Planned Residential Development (PRD; approved 11/18/02).
- Site plan review application.
- Amend the existing final plat for Parcel D.
- Federal Section 106 (historic) Review: Pending
- Shared parking agreement with the Mill Quarter Municipal Ramp

Applicable Zoning Code Provisions:

- **Conditional Use Permit:** Planned Residential Developments are conditional uses per Table 546-1.
- **Site Plan Review:** Developments over 20,000 sq. ft. need a site plan review approval per Table 530-1.
- **Final Plat:** Chapter 598.

Legal description: Lots 3 and 4, Block 1, The New Mills District Second Addition, to be platted out of Outlot "D", The New Mills District.

BACKGROUND

Federal Section 106 Review: The St. Anthony Mills Apartments project and the Mill Quarter Municipal Ramp project (BZZ-T572) are the subject of a federal Section 106 (historic) Review because both projects use federal funds. A draft Memorandum of Agreement (MOA), which is a part of the Section 106 Review, stipulates that the Minneapolis Heritage Preservation Commission and the State Historic Preservation Office must review the design of the two projects for compatibility with the buildings within the adjacent St. Anthony Falls Historic District. As such, the Planning Commission's review of the St. Anthony Mills Apartment project (BZZ-2301) was continued to allow the completion of the Section 106 Review. This federal process also halts the "60-day clock" for the City's permit review process. This federal process is expected to be completed prior to the Planning Commission hearing. Consistent with the stipulations in the MOA, the State Historic Preservation Office has consulted with the Minneapolis Heritage Preservation Commission regarding the design of the project and has reviewed and concurred with the proposed design evaluated herein.

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The overall Planned Unit Development: The City Council, acting in its capacity as the Minneapolis Community Development Agency (MCDA) Board, granted development rights to Brighton Development Corp. for the two-block project. The Council also approved a development agreement for the project’s first phase, which is the Park Avenue Lofts West project. Attachment 3 includes the New Mills District PUD Development Plan that shows the various components of the project (refer also to the chart below).

Applications for Planned Unit Developments (PUD), including Planned Residential Developments,¹ usually include two levels of approvals. The initial application must include a detailed description and analysis of the first phase of a project, and the City’s final action will address primarily this first phase. However, the PUD application must also include a description of the concept for the entire PUD, called a Development Plan. This is important so that the City can understand how the first phase fits into the overall PUD. After the City takes a final action on the first phase, the Zoning Code allows the applicant to seek approval of subsequent phases of the PUD when they are ready. The City will consider each of these applications as modifications of the original PUD Development Plan approval, and, as such, each application can include changes to the original Development Plan. In sum, the City action on this third phase, the St. Anthony Mills Apartments project, will be final. If approved, this decision will also amend the Development Plan for the New Mills District PUD; however, the Development Plan is considered at the concept stage at this time, with the exception of the first three phases.

The overall two-block project includes the following elements (the subject application constitutes Phase III of this six-phase project):

Phase	Parcel	Project	Construction Start (earliest possible)	Uses (some figures are approximations)
I	D West	Park Ave. Lofts West	Completed	38 condominium units in a 5-story concrete structure with below-grade parking for 68 vehicles
II	D East	Mill Quarter Municipal Parking Ramp	Under construction	340 stalls, 77 of which are reserved for the St. Anthony Mills Apartment residents. This leaves 263 stalls for the public.
III	D East	St. Anthony Mills Apartments	Mid 2005	93 dwelling units that form “liner development” around the Mill Quarter Municipal Parking Ramp.
IV	D West	Condominium building		40 condo units in a 4-story wood-frame structure with below-grade parking (assume 60 stalls)
V	D West	Live-work project		28 live-work dwelling units with below-grade parking (assume 42 stalls)
VI	D East	Park Ave. Lofts East		38 condominium units in a 5-story concrete structure with below-grade parking for 77 vehicles
Totals				237 dwelling units, 324 private stalls (average of 1.4 per unit), 263 public stalls

Phase III, the St. Anthony Mills Apartments (based on the applicant’s submission): The site (26,005 sq. ft.) is located north of Washington Avenue, bounded on the west by Park Avenue, on

¹ Types of PUDs include Planned Residential, Planned Commercial, and Planned Industrial Developments.

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the east by Chicago Avenue, and on the north by Second Street South. The project includes new construction of 93 rental apartments with approximately 5,000 sq. ft. of commercial/retail space on the ground floor (total gross floor area of 104,098 sq. ft.). The building footprint (18,742 sq. ft.) has three wings that will surround the Mill Quarter Municipal Parking Ramp, which is currently under construction. The ramp will serve downtown visitors and the Mill City Museum, and one lower level of parking will serve the exclusive needs of the apartment residents. It will have 340 stalls, 77 of which will be reserved for the St. Anthony Mills Apartments residents (0.8 stalls per unit). This leaves 263 stalls for the public. The project will have five floors (58'8" height).

The applicant's stated aim is as follows:

1. Help close the gap on the significant need for affordable rental for single persons.
2. Design the housing in a high quality manner that contributes to the emerging riverfront neighborhood and helps build it into a mixed-income neighborhood.
3. Demonstrate the compatibility of affordable rental with higher-end ownership housing.
4. Provide affordable housing in a location ideal for workers and convenient to public transportation.
5. Provide a prototype of new innovative design, partnerships and cost savings ("liner housing" with shared parking).
6. Serve downtown workers as well as those dependant on public transportation for access to employment and services.

Of the 93 households, Brighton has reserved project-based, Section 8 assistance for 17 of the units. These units will be reserved for those individuals eligible for Housing Choice Vouchers, with incomes typically at 30% or less of area median income (AMI). In addition, Brighton will reserve 31 units for households earning 50% or less of the AMI, and 32 units for households earning 60% or less of AMI. The City, through the Community Planning and Economic Development (CPED) Department, is a partner in the project. The City Council approved \$1 million from the City's Affordable Housing Trust Fund for the project.

Allowable units: The minimum lot area for planned residential developments in the C3A District is 400 sq. ft. per unit. The lot area per unit for the project is 280 sq. ft. The project is eligible for density bonuses per section 548.130 (a) and (c). Since the project includes affordable housing, a 20% density bonus is allowed. Also, the parking for the residential portion of the project will be served by the Mill Quarter Municipal Ramp. Since this is enclosed parking, the Code provides a second 20% boost to the allowable density. These two bonuses enable 91 units on the site. The remaining two units in the project are the subject of an exception to the zoning regulations as allowed at 527.140 (refer to section B of this report).

Historic significance: The site is adjacent to but not within the Historic Mills District.

Neighborhood review: The Downtown Minneapolis Neighborhood Association voted to support the project and also made a \$250,000 contribution to help make the units affordable. Attachment 11 includes the letter of support for the project from the group as well as from the Deputy Director of CPED.

A. Conditional Use Permit Findings for the Planned Unit Development

Findings as Required by the Minneapolis Zoning Code for the Conditional Use Permit for the Use:

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

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

The City staff's Preliminary Site Plan Review Committee reviewed the project on 2/9/05 and made comments that the applicant has responded to. The St. Anthony Mills Apartments are part of the redevelopment of the historic Minneapolis riverfront. The site is in a burgeoning neighborhood that includes a mix of market rate and upper bracket ownership housing, multi-family rental, commercial, retail, and cultural attractions. The rehabilitation of the Mills District buildings and new infill construction for residential, offices, and the new Mills District Museum is to the north of the site. CSM Corporation recently completed the Depot East project, a mixed-use development, to the west of the site on Parcel C that includes residences, offices, and a restaurant. From Portland Avenue back towards Hennepin Avenue and the Mississippi River there is multifamily housing, the ice park at the restored Milwaukee Road Depot, the U.S. Post Office, and a variety of office uses. On the Second Street side of Parcel D is the former Hyatt Hotel (now proposed for conversion to condominiums), the Crown Roller Mill offices, and a series of market-rate condominium buildings (North Star Lofts, Stone Arch Lofts, Washburn Lofts, and Humboldt Lofts). Located behind these buildings, along the river, is the Mill Ruins Park, as well as the restored Stone Arch Bridge, which offers easy pedestrian access to the opposite bank of the Mississippi River. The new Guthrie Theatre is under construction to the northeast of Parcel D, kitty corner from St. Anthony Mills. Chicago and Washington Avenue are lined with a mix of office and commercial spaces including the Sawatdee Restaurant and the Open Book/ Minnesota Center for the Book Arts. The proposed residential units and neighborhood-oriented retail uses will be compatible with the surrounding uses.

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.

Refer to the prior response.

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

The proposed project will provide adequate utilities. Adequate drainage and necessary facilities will be provided. The project will include adequate utility service, access, and driveways consistent with all pertinent regulations.

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

Parking requirements: The parking requirements of the Zoning Code call for 93 stalls for the residential units plus a minimum of 4 for the retail uses for a total of 97 stalls. There is no parking proposed for the project on site. Instead, the first level of the Mill Quarter Ramp (77 stalls) will be reserved via a pending shared parking agreement for the St. Anthony Mills Apartment residents (0.8 stalls per unit, 16 short of the Code requirement, a 17% gap). The ramp includes 263 public stalls which would be available on a first-come basis for the users of the businesses in the project. This parking matter is addressed in the next section entitled “Exceptions to Zoning Ordinance Standards.”

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

The following is a review of the applicable plans and policies of the City. Since the proposed project is an integral part of the overall project plan, the evaluation addresses the ramp in particular and the rest of the project in general:

The *Minneapolis Plan* (adopted 2000) is the City’s official comprehensive plan. The *Minneapolis Plan* spells out that “Minneapolis Downtown 2010” (adopted 1996) shall remain in effect as the portion of the comprehensive plan in force for Downtown Minneapolis.

In 2001, the “Update to the Historic Mills District Plan” was adopted by the City Planning Commission and the City Council as a small area plan that functions in conjunction with “Minneapolis Downtown 2010” for the portion of Downtown bounded by Third Avenue South, Washington Avenue South, 11th Avenue South and the West River Road. As such, the policies of “Minneapolis Downtown 2010” and the “Update to the Historic Mills District Plan” are in force for the block under consideration.

Supporting Policies from “Minneapolis Downtown 2010”

Downtown Physical Setting:

Policy 2: Promote retail and other interesting uses at street level in order to reinforce the linking function of streets and to create vitality. These uses should be encouraged at the street level throughout downtown and required where the continuity of retail activity is important.

Policy 7: Promote building heights and designs that protect the image and form of the downtown skyline, that provide transition to the edges of downtown and that protect the scale and qualities in areas of distinctive physical or historic character.

Policy 13: Improve physical and visual access to the riverfront.

Policy 14: Emphasize good open space design.

Policy 18: Encourage new buildings adjacent to historic buildings, sites, and districts to be compatible in design.

Retail:

- Policy 3: Encourage a variety of retail with diverse price points in downtown in order to serve a broad range of residents.
- Policy 5: Market and promote downtown as a unique shopping district that combines convenience and retail selection with an entertaining and elegant shopping experience.
- Policy 7: Provide a positive and stimulating shopping experience. The street level design of buildings should be visually interesting and reinforce the image of the retail core as a premier urban shopping district. Display windows, individual store entrances, awnings and other facade embellishments should be provided.

Also, Policy 9 (from the Downtown Living Chapter): Support the retention and development of neighborhood-serving retail.

Downtown Living:

- Policy 1: Expand housing opportunities in downtown for all income levels, with an emphasis on providing additional moderate to high income, owner-occupied units.
- Policy 2: Capitalize on sites that are well suited for housing, especially along the riverfront... by encouraging medium to high-density housing development.
- Policy 4: Locate medium to high-density housing in areas designated as a Riverfront Residential District located adjacent to and near the West River Parkway. This district should provide locations for housing that can take advantage of the open space and recreational amenities of the riverfront. The primary use of this district should be housing. Other retail, office, cultural and recreational uses should be encouraged, especially those that revitalize historic structures, but should be compatible with housing.
- Policy 5: Ensure that new residential development contributes to the sense of neighborhoods through appropriate site planning and architectural design.
- Policy 6: Along the riverfront, ensure that development provides public access to the river as an integral part of their design.
- Policy 7: Protect residential areas from encroachment of incompatible land uses, and ensure that the physical environment of downtown residential areas is compatible with housing by minimizing traffic impacts, maintaining security, and providing and maintaining amenities.
- Policy 8: Achieve an appropriate balance between market-rate housing and publicly assisted affordable housing and ensure that publicly assisted housing is provided in a way that contributes to the physical appearance and economic and social health of downtown's neighborhoods.
- Policy 9: Support the retention and development of neighborhood-serving retail.

Supporting Policies from the “Update to the Historic Mills District Master Plan:”

- **Building Heights (page 14):** The intended projects are expected to be in compliance with the proposed building height guidelines suggested in the “Update to the Historic Mills District Master Plan.” Specifically, the projects include buildings that are four to five stories in height. Under the policies of the

Update Plan it would be possible to build up to eight or nine stories (122 feet) on this block.

- **Washington Avenue (page 7 and pages 26-28):** The intended projects are expected to be in compliance with the guidelines for building setbacks along Washington Avenue as suggested in the “Update to the Historic Mills District Master Plan” and set by the Depot East project on Parcel C. The origin of the guideline was derived as a compromise in the divergent goals of (a) encouraging new development, (b) preserving some of the views that have been part of the district for more than century, and (c) establishing a wide enough right-of-way so that at some point in the future, it is possible to re-establish Washington Avenue South as a tree-lined boulevard.

The completion of projects in this block will help to encourage other new development within the Mills District, particularly along Washington Avenue South. The addition of new workers, residents, and visitors to the area will help to solidify the market for neighborhood retail and commercial services.

6. And does in all other respects conform to the applicable regulations of the district in which it is located upon approval of these conditional use and other permits.

The following discussion addresses the needed exceptions to the requirements of the Zoning Code. Approval of the other two applications as conditioned herein will make the project conform to all of the provisions of the Zoning Code.

B. Exceptions to Zoning Ordinance Standards

Chapter 527, Planned Unit Development authorizes the City Planning Commission to approve exceptions to the zoning regulations that are applicable to the zoning district in which the development is located. This may be done only upon finding that the Planned Unit Development includes adequate site amenities to address any adverse effects of the exception.

The Zoning Code at 527.190 defines the purpose of a Planned Residential Development “. . . to encourage a higher quality residential development that provides a greater variety of housing types and costs and additional site amenities than otherwise might occur under the strict application of the zoning regulations. The regulations are intended to encourage innovation in housing design in order to meet the housing needs of the city’s diverse population, to promote the efficient use of land, and to protect the natural environment.” Acceptable mitigating amenities include the rehabilitation and reuse of locally designated historic structures and design of new construction which is similar in form, scale and materials to existing structures on the site and to surrounding development.

The project requires two exceptions to the zoning regulations:

- **Minimum lot area:** The minimum lot area for planned residential developments in the C3A District is 400 sq. ft. per unit. The lot area per unit for the project is 280 sq. ft. The project is eligible for density bonuses per section 548.130. Since the project includes affordable housing, a 20% density bonus is allowed. Also, the parking for the residential

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portion of the project will be served by the Mill Quarter Municipal Ramp. If the Planning Commission approves the exception to the zoning regulations for the parking requirements as discussed in the following bullet, then the project qualifies as having structured parking and the Code provides a second 20% boost to the allowable density. These two bonuses enable 91 units on the site as follows:

	Amount s	Allowable Units
Lot area	26,005	
C3A requirement (sq. ft. per DU)	400	65
Bonus for affordable housing	20%	78
Bonus for structured parking	20%	91
Allowable increase for PUDs per 527.140	20%	104

The site is adjacent to the St. Anthony Mills Historic District, arguably the most important district in the City. The applicants have worked with the staff of the Minneapolis Heritage Preservation Commission and the State Historic Preservation Office to develop a design that is compatible with the historic district. The City task force charged with implementing the “Update Mills District Plan” worked closely with the applicant to match the residential density to the plan. There needed to be sufficient density to accomplish the following:

- Generate the revenue stream sufficient to keep the units affordable at the levels desired by the City.
- Create the “liner development” to surround and screen the municipal ramp which is 49 feet tall.
- The “Updated Mills District Plan” encourages densities in the 4-to-8-story range in the area.

The above analysis establishes a reasonable basis for the Planning Commission to approve an exception per 527.140 to the minimum lot area requirements of the Zoning Code to allow 2 additional units (a 3% increase for a total of 93 units).

- **Parking:** Section 527.180 allows the Planning Commission to approve exceptions to the Zoning Code for Planned Unit Developments and specifies the following considerations in the case of parking and loading exceptions:
 - Nature and uses of the population served.
 - Actual parking and loading demand.
 - Potential for shared parking and loading.
 - Alternative forms of transportation.

The applicant stated the following: “To reduce any potential of increased traffic congestion in the public streets of the area, the following strategies are being planned:

- Single entrance to the parking ramp off of Second Street South
- Provision of service lane for off-street trash loading and maneuvering
- Limited vehicular access (emergency vehicles only) at the lane in the center of the block to prevent it from being used for shortcuts during peak traffic hours

“In addition, the project is being marketed as a transit-oriented development and to downtown workers. It is two blocks from the LRT line, and fronts numerous public transit routes along Washington Avenue. We believe this will also alleviate traffic congestion in the area.”

The applicant also stated that the project has a lower stall-per-unit ratio primarily because it saves the project money and therefore makes the units more affordable. One of the prime goals of the project is to provide affordable rental housing in a neighborhood containing primarily high-end for-sale units.

As regards alternative transportation opportunities, Metro Transit operates the Gateway Transit Center two blocks from the site with numerous routes that serve the entire Metro area. Metro Transit offers regular service along Washington Ave. and is considering an extension to the #18E bus to provide service on Second St. with connections downtown and to the east. There are several on-street bike lanes adjacent to and close to the site, plus the Mississippi River system of on and off-street trails is one block to the north of the site (Attachment 7). The Public Works Department reviewed the plans and the traffic and parking implications of the project and is recommending no substantive changes. The above analysis establishes a reasonable basis for the Planning Commission to approve the following exception to the Zoning Code per 527.180:

- Residential parking: Allow the 77 stalls on the first floor of the Mill Quarter Municipal Ramp to serve as the required parking for the 93 units via a shared parking agreement.
- Commercial parking: Allow the Mill Quarter Municipal Ramp to serve as the required parking for the commercial uses in the project without the need for a shared parking agreement or lease.

C. Special PUD Findings

Special Findings as Required by the Minneapolis Zoning Code for the Planned Residential Development for the Park Avenue Lofts Project:

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 a planned residential development, the variety of housing types and their relationship to other site elements and to surrounding development.**

The proposed project is compatible with the surrounding uses (refer to Finding # 1 above). The other portions of this report provide additional detail to support this finding.

- 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 and availability of transit alternatives.

As detailed above, the staffs of the Planning and Public Works Departments are satisfied that the project will not result in significant off-site parking or traffic impacts.

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

Refer to the findings concerning site plan review approval in the following section.

- 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.**

Refer to the findings concerning site plan review approval in the following section.

- e) **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.**

Refer to the findings concerning site plan review approval in the following section.

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

Refer to the findings concerning the final plat approval later in this report.

D. Site Plan Review

Required Findings for Site Plan Review

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

Section A: Conformance with Chapter 530 of Zoning Code

BUILDING PLACEMENT AND FAÇADE:

- 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 and windows:
 - 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.

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

- The form and pitch of roof lines shall be similar to surrounding buildings.
- **Parking Garages:** The exterior design shall ensure that sloped floors do not dominate the appearance of the walls and that vehicles are screened from view. At least thirty (30) percent of the first floor building wall that faces a public street, public sidewalk or public pathway shall be occupied by active uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.

Conformance:

- Building placement conforms on all three block faces to the specifications developed by the task force of City staff who are charged with implementing the “Update to the Mills District Plan.” The details of the streetscape shown in the attached plans may change as this task force completes its work.
 - On the Washington Ave. side, the retail portion of the building is at the property line and 13 ft. from the face of the curb. This is to accommodate the sidewalk and 4 ft. by 6 ft. tree grates. The residential portion is set back an additional 4 ft. from the face of the curb.
 - When Chicago Ave. is extended to 2nd St., the retail portion of the building will be 20 ft. back from the face of the curb and at the property line. The residential portion is set back an additional 8 ft. to accommodate stoops for the individual residential units.
 - On the 2nd St. side, the building is 4 ft. back from the property line. It is here that the building integrates with the façade of the Mill Quarter Municipal Ramp building.
- All principal entrances are on streets and they are clearly defined.
- The Mill Quarter Municipal Ramp that the project wraps around will serve as the location for the parking for the residential and commercial uses (refer to section B of this report).
- The design includes a repeating of architectural elements with a module that is between 30 and 45 ft. in width. Each of these modules includes about 75% glass on all floors and uses primary façade materials of brick, pre-finished metal, and painted cement board (on the fifth floor). Many of the modules also include a taller fifth floor that provides a varied roof line. The retail portions of the walls are set off with complementary materials but they project forward to the property line out from the residential components. There are no blank walls longer than 25 ft.
- At this time exact signage is unknown. The applicant has committed to conform to the Code.

ACCESS AND CIRCULATION:

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

Conformance:

- As a part of the adjacent phase of the PUD (to the west), the developer will build a public walkway between Washington and 2nd St. A portion of the north and south ends of this walkway will be on the service drives.
- There are no on-site transit shelters proposed.
- Vehicular access to the ramp is via 2nd St. A one-way service drive (westward only) provides access to the buildings on the south side of the site for waste management and service trucks. Service access for the buildings on the north side of the site will be via a service drive on the northwest corner of the site and via the ramp.
- The project will have no substantive effect on traffic, parking, and access.
- All areas not needed for buildings are access are landscaped.

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.

Conformance:

- The net site has 7,048 sq. ft. With the exception of the service drives, sidewalks, and stoops, the entire site is landscaped. The Code requires a minimum of 3 trees and 14 shrubs. Approximately 30% of the net site will be landscaped and the project will include trees and shrubs well in excess of the Code's minimums.
- The City and the applicant have agreed that the applicant will landscape the portion of the ramp site that lies between the ramp and the adjacent phase of the PUD to the west and integrate that landscaping into the overall plan for the PUD.

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.
- Lighting shall comply with the requirements of Chapter 535 and Chapter 541. A lighting diagram may be required.
- Parking and loading facilities and all other areas upon which vehicles may be located shall be screened to avoid headlights shining onto residential properties.
- To the extent practical, site plans shall minimize the blocking of views of important elements of the city.
- To the extent practical, buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.
- To the extent practical, buildings shall be located and arranged to minimize the generation of wind currents at ground level.
- Site plans shall include crime prevention design elements as specified in section 530.260 related to:
 - Natural surveillance and visibility
 - Lighting levels
 - Territorial reinforcement and space delineation
 - Natural access control
- To the extent practical, site plans shall include the rehabilitation and integration of locally designated historic structures or structures that have been determined to be eligible to be locally designated. Where rehabilitation is not feasible, the development shall include the reuse of significant features of historic buildings.

Conformance:

- The project includes a new curb cut on Washington Ave. for exiting service vehicles, and a new curb cut for entering service vehicles from Chicago when it is built.
- Lighting will be consistent with the Code through the use of full cut-off fixtures and proper placement. The Police Department and CPTED¹ staff reviewed the design as regards crime prevention design elements.
- The project will, to some degree, block views of important elements of downtown buildings from some of the lower five floors of the Washburn Lofts and Humboldt Lofts residential buildings to the north. It will also block views of the historic buildings to the north of the site for people in the lower floors of buildings located to the south of the site. However, the height and scale of the project is consistent with the approved Mills District Plan and the plan's update so this blockage is considered an acceptable byproduct of appropriate development. The extension of Chicago Ave. through the block will open up views of the historic buildings and of the rest of downtown.
- At only 5 floors, the building will have no significant impact on the generation of pedestrian-level winds.

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 use is conditional in the C3A District.

Off-Street Parking and Loading: As stated above in section B entitled “Exceptions to Zoning Ordinance Standards,” the Public Works Department reviewed the plans and the traffic and parking implications of the project and is recommending no substantive changes. The analysis in section B establishes a reasonable basis for the Planning Commission to approve an exception to the residential and commercial parking requirements of the Zoning Code per 527.180 as follows:

- Allow the reduction of the required parking for the 93 units from 93 stalls to 77 stalls. This parking will be located on the first floor of the Mill Quarter Municipal Ramp and will be secured by means of a shared parking agreement with the City.
- Allow the Mill Quarter Municipal Ramp to serve as the required parking for the commercial uses in the project without the need for a shared parking agreement or lease.

Maximum Floor Area: The maximum floor area ratio (FAR) in the C3A District is 2.7. The lot in question is 26,005 sq. ft. in area and the project has a gross floor area of 104,098 sq. ft. which equals an FAR of 4.0. The project is within the Down Height Overlay District which increases the allowable FAR to 4.0.

Building Height: Building height in the C3A District is limited to 4 stories or 56 feet, whichever is less. The project is within the Down Height Overlay District which increases the allowable height for multi-family developments located between Washington Ave. and 2nd St. to 8 stories or 112 ft., whichever is less. The project will be 5 stories and 58’ 8” tall.

Minimum Lot Area: The minimum lot area for planned residential developments in the C3A District is 400 sq. ft. per unit. The lot area per unit for the project is 280 sq. ft. As discussed in section B of this report, the project is eligible for density bonuses that enable 91 units on the site. The analysis in section B establishes a reasonable basis for the Planning Commission to approve an exception per 527.140 to the minimum lot area requirements of the Zoning Code to allow 2 additional units (a 3% increase for a total of 93 units).

Yard Requirements: N/A

Specific Development Standards: N/A

Hours of Operation: In the C3A District, uses may be open to the public during the following hours: Sunday through Saturday 6 a.m. to 1 a.m.

Signs: Signs are subject to 531 and 543 of the Zoning Code. All new signs are required to meet the requirements of Chapter 543 of the zoning code. The applicant proposes to conform to the Code.

Refuse storage: All storage of refuse and recyclable materials will be enclosed in the building and accessed via the service drive on the south side of the site.

Minneapolis Plan: Refer to the Conditional Use Permit section of this report.

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.**

Conformance: There is no need for alternative compliance. The application meets all applicable provisions of the Zoning Code.

E. Final Plat for the New Mills District Second Addition (PL-160)

Required Findings:

- 1. Subdivision is in conformance with the land subdivision regulations including the requirements of section 598.80 relating to protection of natural resources, applicable regulations of the Zoning Code, and policies of the Comprehensive Plan.**

Since the entire New Mills District PUD site was surface parking, there are no surviving natural resources. The above analysis addresses consistency with the Zoning Code and the Comprehensive Plan. The proposed subdivision is in conformance with the Land Subdivision regulations and it has been reviewed and approved by appropriate Public Works staff and the City Attorney's Office (Attachment 9).

Section 598.230 requires that, "Where no alley are provided, utility easements required by the city engineer shall be not less than five (5) feet on side lot lines and not less than ten (10) feet on rear lot lines." The Public Works Department staff have indicated that adequate provisions have been made for utilities without providing these easements and Planning staff recommends that the Commission vary the subdivision standards related to utility easements.

- 2. 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 subdivision will not be injurious to the use and enjoyment of other property. Refer also to the response to the findings in the above sections dealing with the conditional use permit and the site plan review applications.

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

Stormwater Runoff: The project will have to obtain approval of a Stormwater Management Plan. The project includes a minimum of impervious surfaces and a maximum amount of landscaping.

Erosion Control: During construction, the general contractors in charge of construction will be responsible for obtaining an Erosion Control permit for the Public Works Department and establishing temporary erosion control. Temporary erosion control measures will include silt fences, bale checks, sediment traps for catch basins, and rock construction entrances.

- 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 City's Preliminary Site Plan Review Committee reviewed the project and concluded there would be no significant problems as regards access and other permit concerns, subject to the recommended conditions of approval listed below and final streetscape designs.

- 5. The subdivision makes adequate provision for storm or surface water runoff and temporary and permanent erosion control. The storm water drainage system shall be separate and independent of any sanitary sewer system. All plans shall be designed in accordance with rules, regulations, and standards of the city engineer. Facilities intended to be dedicated to the City shall be located in perpetual, unobstructed easements of a width determined to be adequate and necessary by the city engineer. To the extent practicable, the amount of stormwater runoff from the site after development does not exceed the amount occurring prior to development.**

Refer to the response to finding #3.

RECOMMENDATIONS

Recommendation of the Community Planning and Economic Development Department – Planning Division for the conditional use permit application for the St. Anthony Mills Apartments at 720 Washington Ave. S.:

Department of Community Planning and Economic Development—Planning Division
Conditional Use Permit (Amending the Planned Unit Development), Site Plan Review, and Final Plat
BZZ-2301 and PL-123

The City Planning Division recommends that the City Planning Commission **approve** the conditional use permit/planned residential development application for the St. Anthony Mills Apartment at 720 Washington Ave. S. for 93 dwelling units. The City Planning Division also recommends Planning Commission approve the following exceptions to the Zoning Code per Chapter 527:

- Approve an exception per 527.140 to the minimum lot area requirements of the Zoning Code to allow 2 additional units for a total of 93.
- Allow the reduction of the required parking for the 93 units from 93 stalls to 77 stalls. This parking will be located on the first floor of the Mill Quarter Municipal Ramp and will be secured by means of a shared parking agreement with the City.
- Allow the Mill Quarter Municipal Ramp to serve as the required parking for the commercial uses in the project without the need for a shared parking agreement or lease.

Recommendation of the Community Planning and Economic Development Department – Planning Division for the site plan review application for the St. Anthony Mills Apartments at 720 Washington Ave. S.:

The City Planning Division recommends that the City Planning Commission **approve** the site plan review application for the St. Anthony Mills Apartment at 720 Washington Ave. S. for 93 units, subject to the following conditions:

1. CPED Planning staff review and approval of the final site and landscaping plans.
2. All site improvements shall be completed by June 13, 2006, unless extended by the Zoning Administrator, or the permit may be revoked for noncompliance.
3. Completion of the federal Section 106 Review Process.

Recommendation of the Community Planning and Economic Development Department – Planning Division for the final plat for the St. Anthony Mills Apartments at 720 Washington Ave. S.:

The City Planning Division recommends that the City Planning Commission **approve** the final plat for the St. Anthony Mills Apartment at 720 Washington Ave. S. with a variance from the required utility easements.

Attachments:

1. Zoning and lot lines in the area
2. Zoning
3. PUD Development Plan
4. Aerial photo
5. Project plans
6. Information from the applicant
7. Transit in the area
8. Photos
9. Final plat
10. Plat resolution