

**Department of Community Planning and Economic Development – Planning
Division**

Conditional Use Permits & Major Site Plan Review
(BZZ-2140)

Date: February 23, 2005

Applicant: Continental Property Group, 253 Lake Street East, Wayzata, MN 55391

Address of Property: 343, 401, 403 and 409 Oak Grove Street and 416 Clifton Avenue

Project Name: 401 Oak Grove

Contact Person and Phone: Paul Mellblom, Meyer, Scherer & Rockcastle, Ltd, 710
South 2nd Street 7th Floor, Minneapolis, MN 55401, 612-375-0336

Planning Staff and Phone: Becca Farrar, 612-673-3594

Date Application Deemed Complete: December 28, 2004

End of 60-Day Decision Period: February 26, 2005

End of 120-Day Decision Period: On January 31, 2005, Staff sent the applicant a letter extending the decision period to no later than March 17, 2005. The applicant further extended the decision period on January 24, 2004, to June 1, 2005.

Ward: 7 Neighborhood Organization: Citizens For A Loring Park Community

Existing Zoning: OR3 (Institutional Office Residence Districts)

Proposed Zoning: Not applicable

Zoning Plate Number: 18

Lot Area: 37,023 square feet or .85 acres

Legal Description: Not applicable for this application

Proposed Use: Seven-story, 74 unit owner-occupied condominium development

Concurrent Review:

- Conditional Use Permit for 74 residential units in the OR3 district.
- Conditional Use Permit to increase the maximum permitted height from 2.5 stories or 35 feet to 7 stories or 77 feet.
- Major Site Plan review for any use containing 5 or more dwelling units.

Applicable zoning code provisions: Chapter 525, Article VII, Conditional Use Permits & Chapter 530 Site Plan Review.

Background: The applicant, Continental Property Group, proposes to construct a seven-story 74 unit residential development. Townhome style condominiums would front along Oak Grove Street and Clifton Place. Condo designs would include one bedroom, one bedroom plus den, two bedroom and penthouse condominiums. The property is currently a bituminous surface 90-car parking lot located at the corner of Clifton Place and Oak Grove Street. The applicant has proposed 193 parking spaces for the residents, guests and office tenants for the building located at 430 Oak Grove Street in a partially underground parking ramp. Due to the slope on site and the design of the proposed structure a portion of the 1st level of the parking garage is located above grade. The subject properties are zoned OR3, however the property is subject to the Shoreland Overlay District standards as the parcels are located within 1000 feet of the ordinary high water mark of Loring Pond. As such the site is subject to a height restriction of 2.5 stories or 35 feet.

The applicant previously proposed a mixed use 21-story, 97 unit residential tower, with 3-story, 7 unit townhomes and a 900 square foot commercial space. This plan was unanimously denied by the Planning Commission on August 23, 2004. The applicant appealed the decision to the Zoning and Planning Committee and the City Council which upheld the Planning Commission's decision to deny all the associated applications.

The site is located within a Downtown Parking (DP) Overlay District. The DP Overlay District is established to preserve significant and useful buildings and to protect the unique character of the downtown area and the mixed-use neighborhoods by restricting the establishment or expansion of surface parking lots. The DP Overlay District is not applicable for this application.

The Citizens For A Loring Park Community (CLPC) has not provided a letter stating their position on this proposed development.

The applicant has requested that the above listed applications be continued until the March 28, 2005, Planning Commission hearing.

RECOMMENDATIONS:

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

The Department of Community Planning and Economic Development– Planning Division recommends that the City Planning Commission **continue** the conditional use permit application to allow up to 74 dwelling units for the properties located at 343, 401, 403 and 409 Oak Grove Street and 416 Clifton Avenue to the meeting of March 28, 2005.

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

The Department of Community Planning and Economic Development– Planning Division recommends that the City Planning Commission continue the conditional use permit application to increase the height of the proposed building from the permitted 2.5 stories/35 feet to 7 stories/77 feet for the properties located at 343, 401, 403 and 409 Oak Grove Street and 416 Clifton Avenue to the meeting of March 28, 2005.

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

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission continue the site plan review application for a 74 unit residential building located at 343, 401, 403 and 409 Oak Grove Street and 416 Clifton Avenue to the meeting of March 28, 2005.

Attachments:

1. Zoning map
2. Extension letter