

MEMORANDUM

TO: City Planning Commission, Committee of the Whole

FROM: [Kimberly Holien](#), Principal Planner, (612) 673-2402

DATE: April 14, 2016

SUBJECT: 2707 38th Street E and 3800-3812 28th Avenue S

The applicant and the Department of Community Planning and Economic Development (CPED) would like to introduce and seek feedback from the City Planning Commission (CPC) on the project proposed at 2707 38th Street E and 3800-3812 28th Avenue S. This input will be used by the applicant as they prepare formal applications. The attached plans include a site plan, floor plans, elevations, color renderings and shadow studies.

The project includes a 4-story mixed use building with 53 dwelling units. The proposed building will be L-shaped with frontage on 38th Street and 28th Avenue S. The proposed building will wrap around the existing building at the corner of 38th Street E and 28th Avenue S, preserving the existing building. The ground floor of the building will have four retail spaces fronting along 38th Street E and walk-up units fronting along 28th Avenue S. Each of the retail spaces is less than 1,000 square feet. The upper floors contain residential units that cantilever over surface parking on the back side of the building. A total of 34 parking stalls are provided. The residential unit mix includes three studio units, 40 one-bedroom units, and ten two-bedroom units.

The main residential entrance is on the east side of the building, facing 28th Avenue S. The retail spaces each have individual entrances facing 38th Street E. The primary exterior materials are stucco, metal panel and brick. Fiber cement panels and fiber cement lap siding are proposed on the interior elevations. The north elevation, facing 38th Street E, is designed to appear as two distinct buildings separated by the alley at grade. The applicant is requesting to vacate air rights above the alley and build over it on the third and fourth floors.

The site consists of three parcels, each with a different primary zoning classification. The property at 2707 38th Street E is zoned C2 and contains the Pedestrian Oriented Overlay district. The property at 3806 28th Avenue S is zoned CI and contains the PO, Pedestrian Oriented Overlay district. The property at 3812 28th Avenue S is zoned RIA. The applicant is proposing to rezone all of the parcels to C2, Neighborhood Corridor Commercial district. The following land use applications have been identified thus far:

- Rezoning from the CI and RIA districts to the C2, Neighborhood Corridor Commercial district
- A variance to exceed the maximum floor area ratio

- A variance to decrease the south interior side yard setback from 11 feet to four feet
- A variance to decrease the front yard setback requirement along 28th Avenue S due to the established setback of the adjacent residential structure
- Minor subdivision
- Vacation of air rights over the public alley
- Site Plan Review

The applicant intends to take advantage of a 30 percent density for providing commercial uses for 50 percent of the ground floor. Staff has calculated the retail square footage at 3,656 square feet, or 46.2 percent of the ground floor. The size of the retail spaces will need to be increased to total at least 3,953 square feet in order to qualify for a bonus. With the bonus, the site would be allowed a maximum floor area ratio of 2.21. The building as proposed has a floor area ratio of 2.4.

The majority of the site is designated as mixed-use on the future land use map in [The Minneapolis Plan for Sustainable Growth](#) and 38th Street E is a community corridor in this location. The parcel at 3812 28th Avenue S is designated as urban neighborhood on the future land use map. The properties at 2700 E 38th Street and 3806 28th Avenue S are located within a neighborhood commercial node. The properties south of the site are all zoned R1A and primarily contain single family homes. Properties along 38th Street near the site contain a variety of commercial uses. All but one parcel fronting on 38th Street E between the site and the transit station are zoned C1.

The property is within the study area of [38th Street Station Area Plan \(2007\)](#). The small area plan identifies the site as being within the “station district” and the future land use of the site as “neighborhood mixed use.” The plan specifically calls out the corner of 28th Avenue and 38th Street as an “anchor and building block for a larger mixed-use district contiguous with the station.” The portion of the site that fronts along 38th Street E is recommended for landscaping and screening improvements of the existing site to create a better pedestrian environment. The plan contains the following policy recommendations that are relevant to this project:

- 2.2 The plan should reinforce stable residential neighborhoods that are physically buffered from nonresidential land uses.
- 2.3 Redevelopment of single-family areas adjacent to or near 38th Street shall be limited to areas where the plan envisions redevelopment facing 38th Street.
- 2.5 Adequate parcel depth should be acquired to avoid the need for variances from zoning standards that arise from small sites (e.g., related to yard, landscaping and parking), not simply to increase the size of the project scale.
- 3.1 The plan should reinforce neighborhood-scale, mixed-use nodes or districts along 38th Street and Minnehaha Avenue.
- 6.1 Heights of new buildings shall be related to their neighborhood context.

In addition to general project comments, staff specifically seeks feedback from the Planning Commission on the amount of surface parking and the request for rezoning to the C2, Neighborhood Corridor Commercial district. As noted above, 38th Street E is a designated Community Corridor in this location and the site is a combination of mixed use and urban neighborhood on the future land use map. The commercially-zoned parcels are in a neighborhood commercial code. Adopted policies for neighborhood commercial nodes and community corridors generally call for neighborhood-serving retail sales and service uses that are more consistent with the C1 zoning designation than the broad range of commercial uses allowed in the C2 district. While the site is in a Transit Station Area Pedestrian Oriented Overlay district, the land use features present on the site are more consistent with a C1 zoning classification. Additionally, the building would extend three parcels south of the Community

Corridor and adjacent to single-family residential uses. Staff had previously recommended to the applicant that they pursue a rezoning to the CI, Neighborhood Commercial district in lieu of the C2 district.

STATEMENT OF PROPOSED INTENT FOR LAND USE APPLICATION

We are proposing a mixed use infill building on 38th and 28th in response to the Transit Investment, 2000 Comprehensive Plan, 2007 ISA plan, and recent private investment in the area - Northbound Pub, Cupcake, and Klood Station 38 apartments. We think this site presents an increasingly valued multimodal lifestyle.

The small retail offerings - 1,000 square foot boys - will attract smaller, neighborhood food and service tenants. We expect 24 different tenants. The retail screens the atrgrade parking at the rear of the property. We expect many of the customers to arrive by foot, lake, bus, or transit.

The housing is designed to meet the fast growing market of 1 and 2 person households. The density is as proposed in the Minneapolis Comp plan. It calls for medium density housing within 1/2 mile of the station. While the adjoining properties to the south are zoned R1A, this zoning doesn't appear to be in compliance with the comp plan. We think the area would be well served by R3 and R4 zoning that would allow "missing middle" housing types - smaller scale, but multifamily. None the less, we have respected the 15' setback except for the stair tower and provided an attractive landscape "wall" as the neighborhood view on that closer wall. We're fine with the 3/4 story to two story condition if the properties to the south don't redevelop more densely.

Most recent infill development in Minneapolis has been on the corridors (riverfront) and in old industrial lands (Midtown Greenway) and has been larger 4.5, and six story buildings with 100+ units. We are proposing a more "village scale" with three story facades (a fourth level is set back) broken into parts by the alley, and smaller, human scale elements like porches, awnings, canopies, etc., and 45-50 units. All these elements help these new buildings increase density, but "fit" the existing context.

We are offering 6 spaces per housing unit and shared parking for the commercial, in an atrgrade condition. This allows everything to be more affordable. More and underground parking dramatically increase capital and operating costs. We believe in shared parking in neighborhood districts and will carefully manage our parking inventory for maximum use/benefit.

Description of Project: The 38th Street Mixed Use project at East 38th Street and 28th Avenue South is a four-story mixed use property with 53 dwelling units, and up to four retail spaces totaling 50,500 square feet. The first level is an 8,000 sf footprint that includes 3,500 sf of commercial space that can be divided into 4 tenant spaces along 38th Street. Visually these will read as two separate buildings, as shown in the illustration, to relate to the scale and context of the neighborhood, but will complement one another. The building at the corner of 38th Street and 28th Avenue will remain and be repainted as a separate piece of property. Along 28th Street, two walk-up residential units are planned along with the main entrance to the residential building. These will have porches that again better relate to the scale of the neighborhood. At grade behind the buildings that front 38th and 28th, will be 34 vehicle and 56 bicycle parking for the property. The goal is for these to be shared by the property and therefore available to commercial uses during the day and while residents are away at work. The project is located 1/2 mile from a rail transit stop with midday service of 15 minutes or less which allows for a residential parking reduction of 50%. The second level is 15,200 square feet and begins to connect the buildings seen at the first level along 38th and 28th and partially covers the parking at grade. The clearance over the alley extends into the area where the second level starts, and therefore the buildings remain separate at that point. There are four units that are accessed from an entry and stair along 38th that are separate from the building. The third level fully connects the buildings and extends across the alley. At the fourth level, the building mass steps back to provide interest and a building mass at the street side that ties to the adjacent properties. This provides for small individual unit balconies with views to the north. There is also a small community patio planned near the corner of 38th and 28th. There are no plans for a commercial/restaurant patio on the upper levels. Commercial uses would be confined to the street level on 38th Street.

Land Use Applications: The project is submitting for General Land Use and Zoning Application to rezone the three of the four parcels to C2 zoning designation. One of the properties, at 2707 38th Street is currently designated as C2. The alley airspace will be vacated to 16'6" to allow for connection of the building starting at the third level; the city required clear width will be maintained to Alternate compliance for landscape buffer for parking next to residential properties will be used to provide a six foot hedge with trees in a 4.5' depth instead of the 7 foot depth listed. Variances would be sought for:

- Yard Setback at the southeast corner of the building is within the setback requirements
- Yard Setback at a small corner of the building and patio at the southeast that extend slightly into the corner yard requirement
- Increase the FAR from 2.2 (includes 30% increase for more than 50% commercial at 1st) to 2.4.

Addresses of properties for which zoning approval is sought:

- 3800 28th Ave South - requesting rezoning from C1 to C2
- 3806 28th Ave South - requesting rezoning from C1 to C2
- 3812 28th Ave South - requesting rezoning from C1 & R1A to C2



MISC PROJECT DATA		
PARKING COUNT (VEHICLE):	34	
PARKING COUNT (BICYCLE):	56	
SITE AREA:	22,524 SF	
NUMBER OF STORIES:	4	
TOTAL HEIGHT:	48'	
FIRST FLOOR	RETAIL	4,112 SF
SECOND FLOOR	RESIDENTIAL	3,793 SF
THIRD FLOOR	RESIDENTIAL	15,302 SF
FOURTH FLOOR	RESIDENTIAL	15,930 SF
TOTAL AREA	RESIDENTIAL	11,298 SF
		50,434 SF

UNIT MIX	
UNIT TYPE	QUANTITY
ONE BEDROOM	40
STUDIO	3
TWO BEDROOM	10
TOTAL NUMBER OF UNITS:	53

PARKING CALCULATIONS

AUTOMOBILE (34 total stalls provided)

- Per section 341.1760:
- 1 stall per dwelling unit.
- 53 dwelling units = 53 parking stalls
- Per section 341.200:
- 50% reduction allowed for projects with 51 or more dwelling units when project is located 1/2 mile or less from a rail transit stop with midday service of 15 minutes or less.
- 38th Street station 760 feet away (less than 1/2 mile).
- Midday service every 10 minutes
- 50% of 53 = 26.5 stalls

Non-Residential - 0 total stalls required

- Per section 341.1760, Table 541-1:
- Nonresidential uses of 1,000 sf or less exempt from off-street parking requirements.
- Multiplexed or multiple-use buildings may exempt no more than (4) uses of 1,000 sf or less from the off-street parking requirements.
- The project currently has (4) non-residential uses of less than 1,000 sf.

Total Automobile Parking Required (both residential and nonresidential): 27 stalls

BICYCLE (56 total stalls provided)

- Per section 341.180:
- Residential Uses:
- 1 per 2 Dwelling Units
- 50% of 53 = 26.5 stalls
- Commercial Uses:
- 3 per 5,000sf
- The project currently has less than 5,000sf of commercial spaces so (3) stalls should be provided

Total Bicycle Parking Required (both residential and nonresidential): 30 stalls

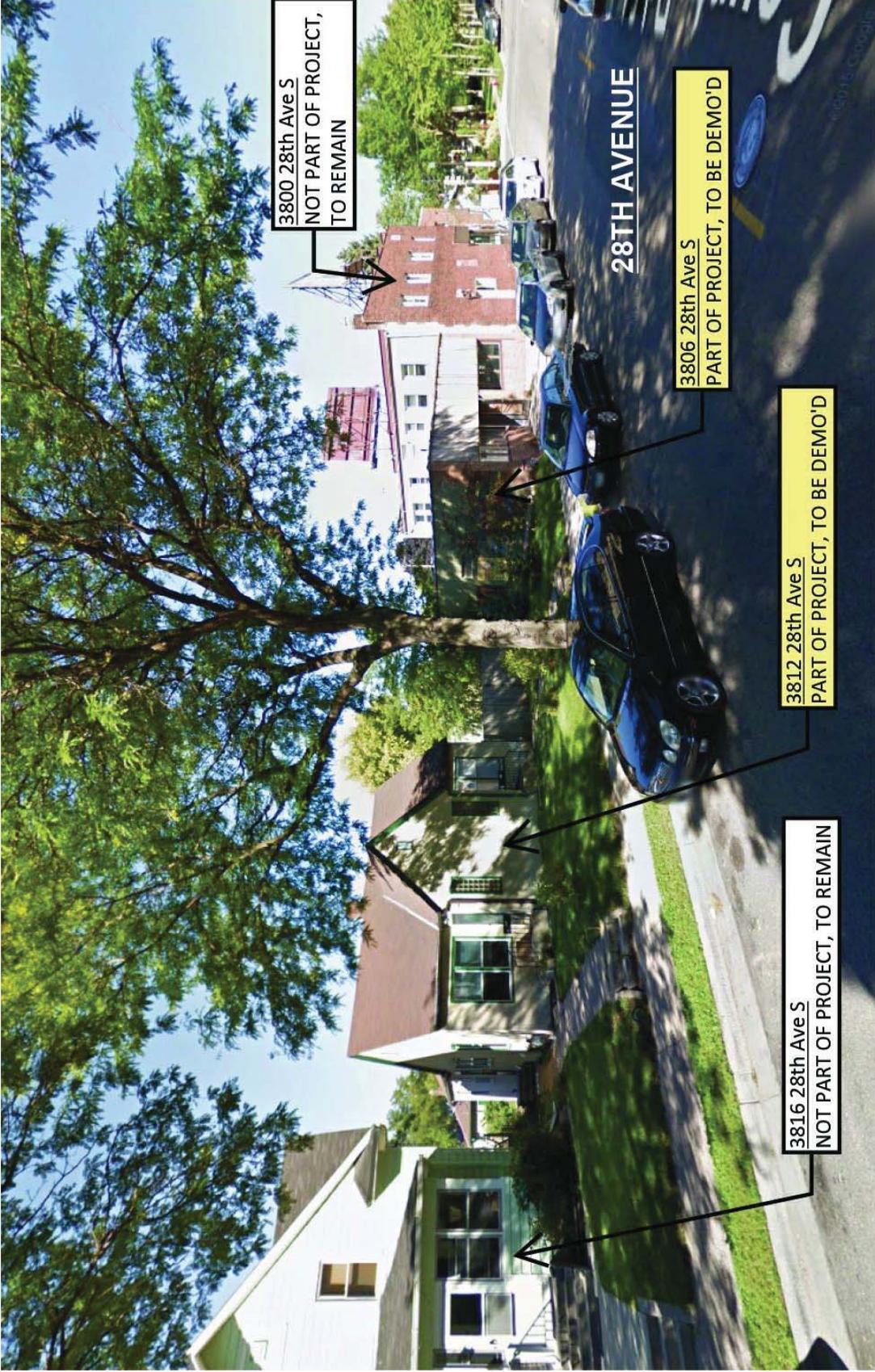
JLG 16002 - LANDER GROUP 38TH STREET

COW00 - COMMITTEE OF THE WHOLE

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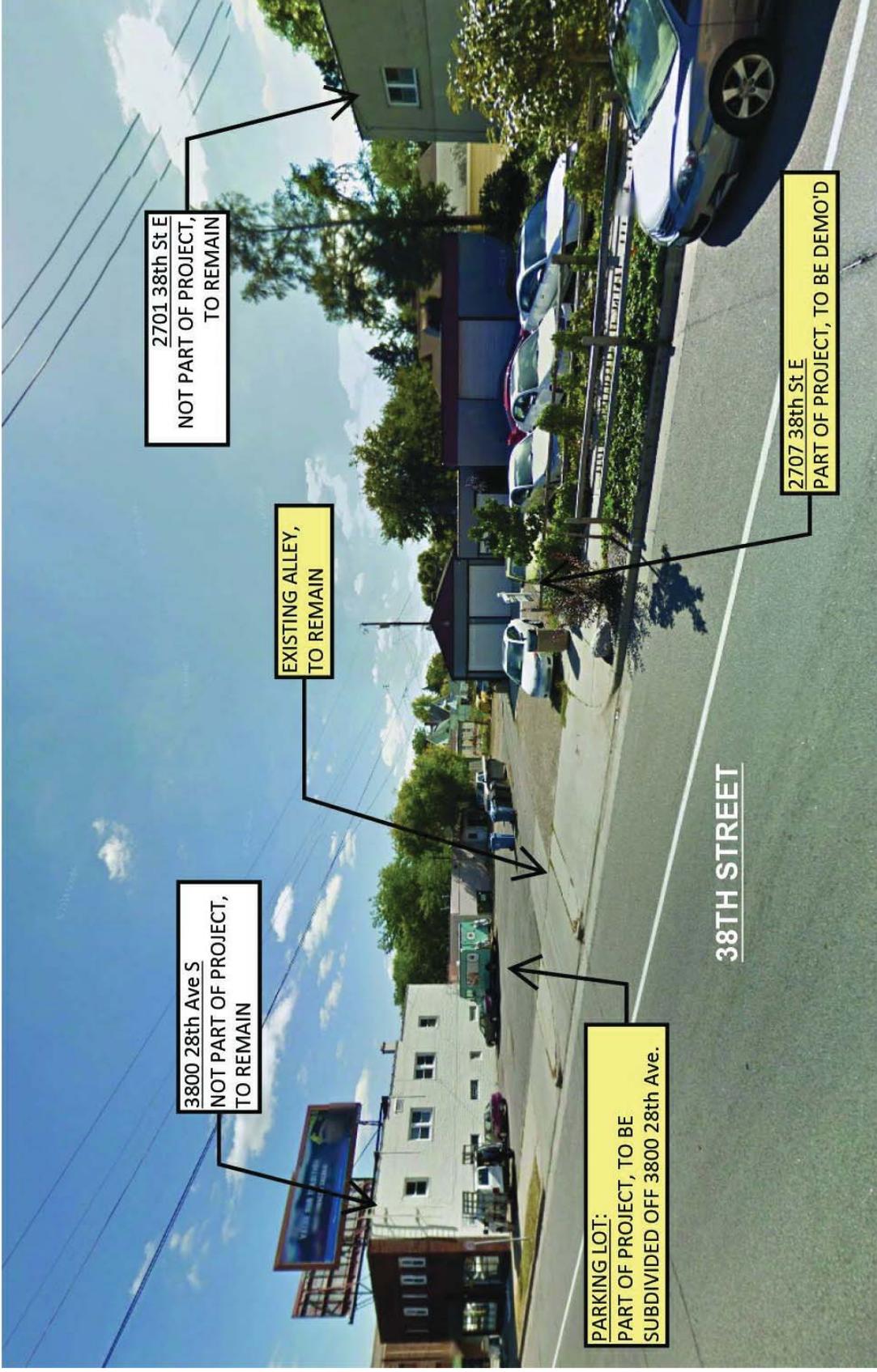
DESIGN FOR LIFE



JLG 16002 - LANDER GROUP 38TH STREET

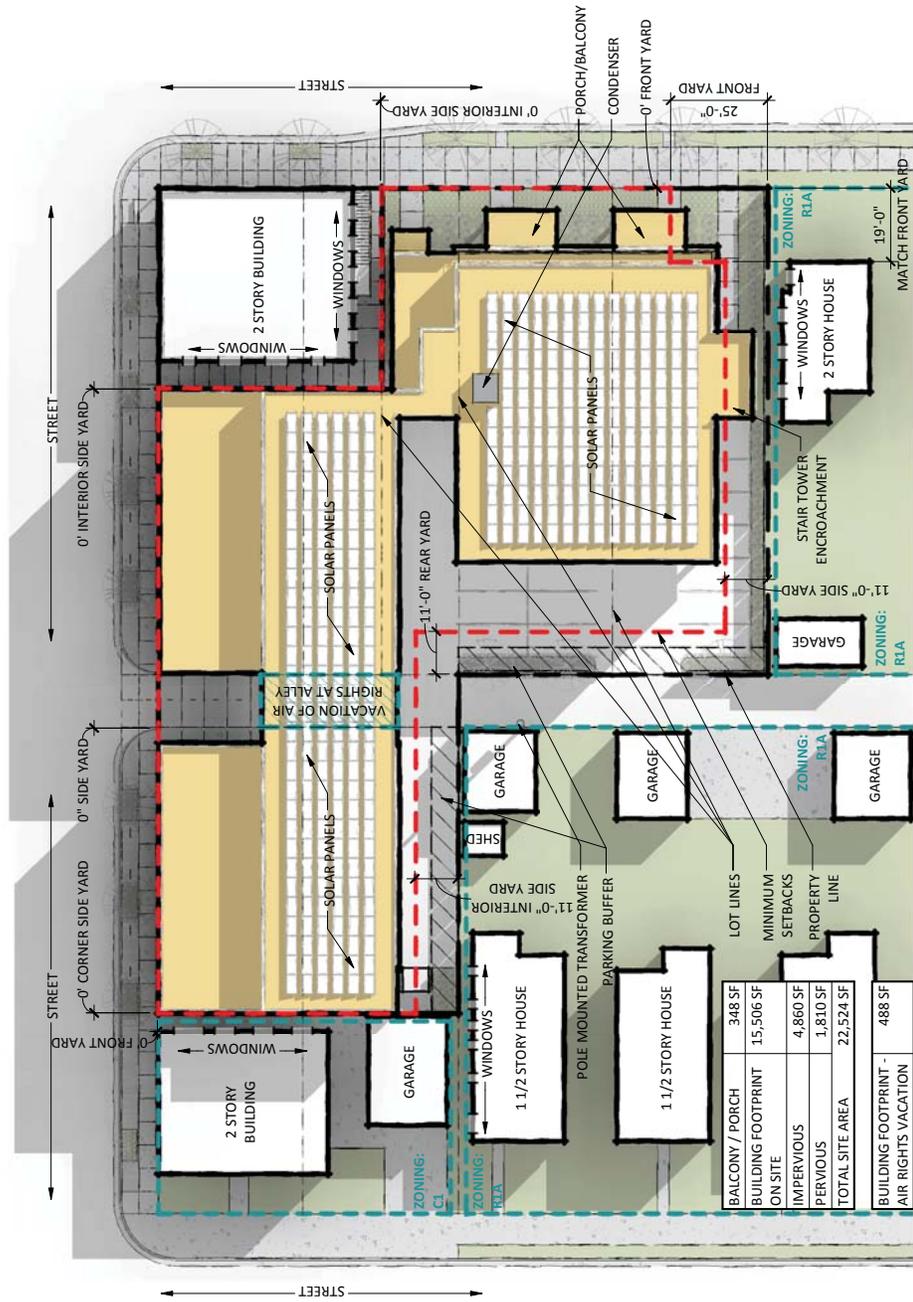
COW01A - EXISTING CONDITIONS - 28TH AVENUE LOOKING NORTHWEST

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JLG 16002 - LANDER GROUP 38TH STREET
 COW01B - EXISTING CONDITIONS - 38TH STREET LOOKING SOUTHEAST

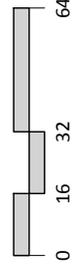
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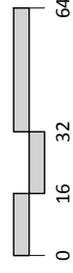
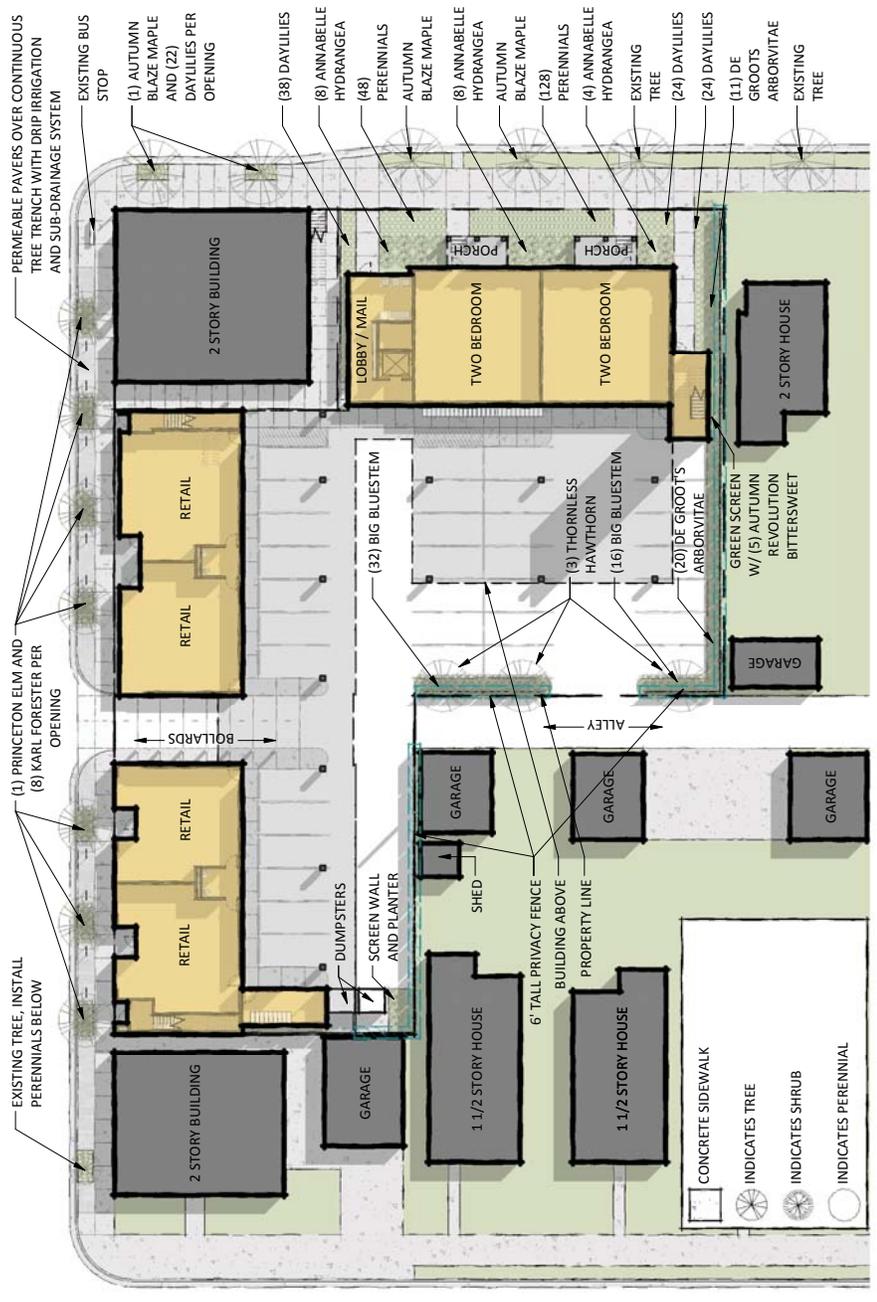
BALCONY / PORCH	348 SF
BUILDING FOOTPRINT	15,506 SF
ON SITE	
IMPERVIOUS	4,860 SF
PERVIOUS	1,810 SF
TOTAL SITE AREA	22,524 SF
BUILDING FOOTPRINT -	488 SF
AIR RIGHTS VACATION	

JLG 16002 - LANDER GROUP 38TH STREET

COW02 - SITE PLAN
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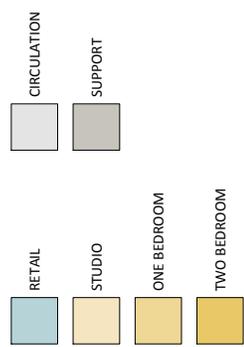
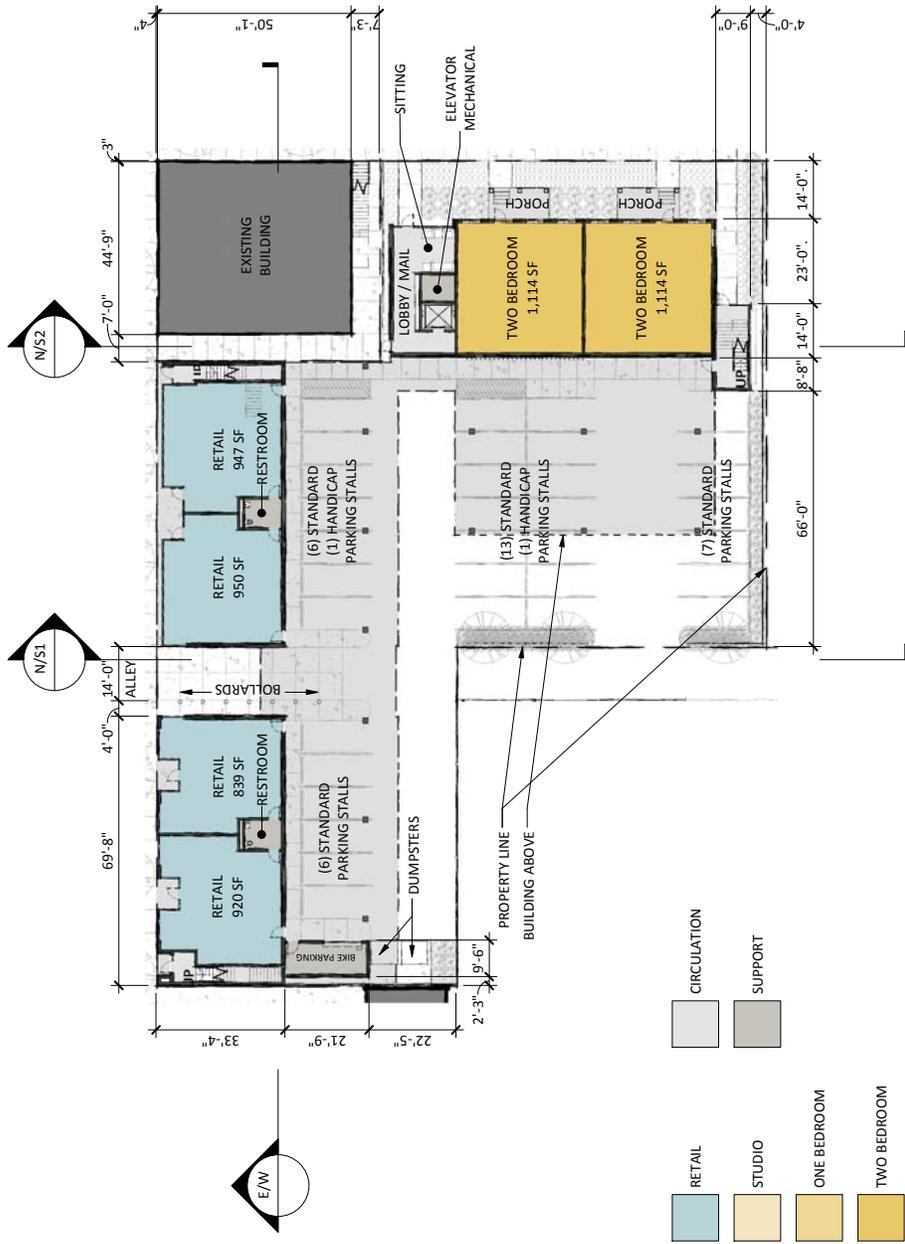
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JLG 16002 - LANDER GROUP 38TH STREET

COW03B - LANDSCAPE PLAN - PLANTING

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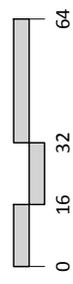
RETAIL	4,112 SF
RESIDENTIAL	3,793 SF
TOTAL	7,905 SF



JLG 16002 - LANDER GROUP 38TH STREET

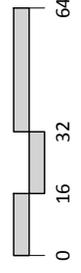
COW04A - FLOOR PLAN - FIRST

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RESIDENTIAL	15,302 SF
TOTAL	15,302 SF

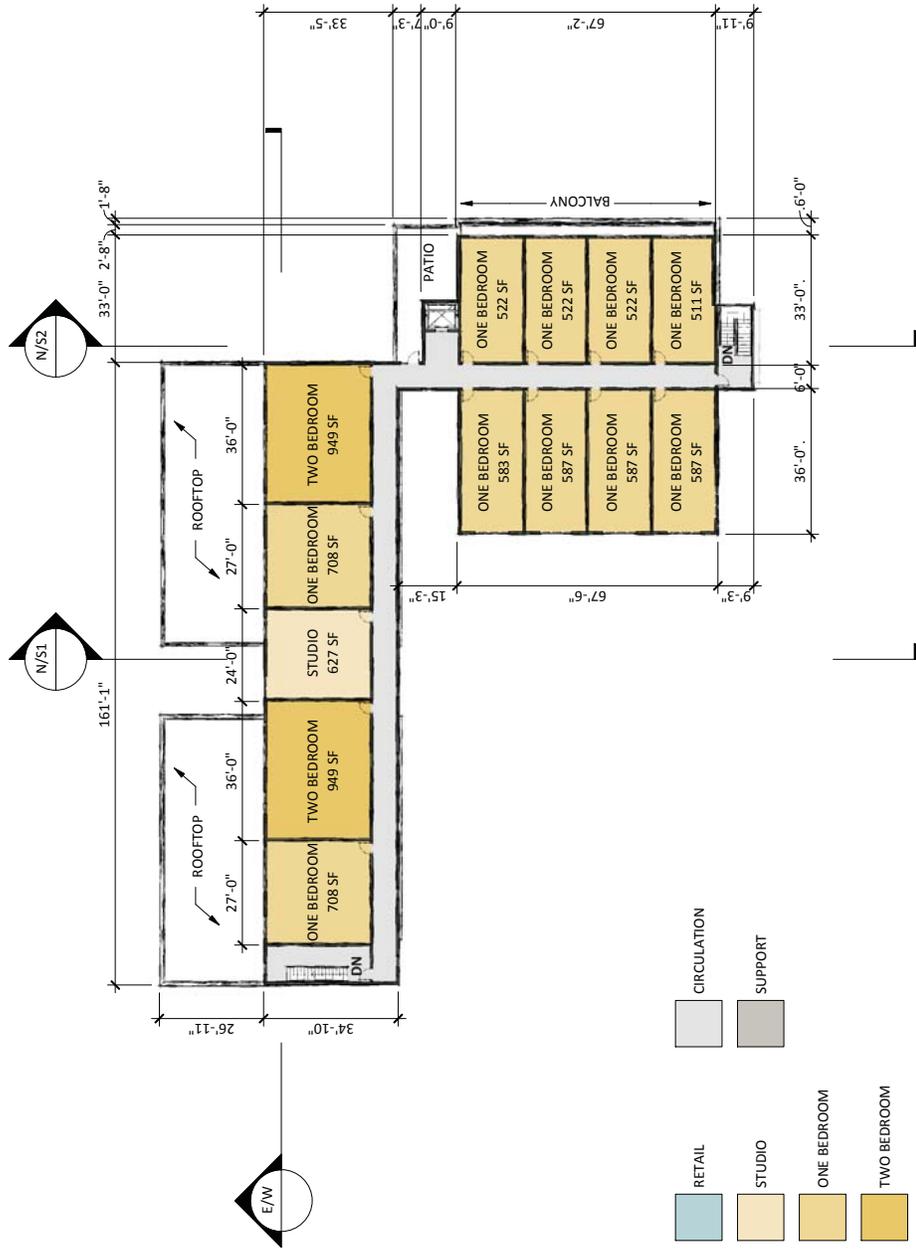


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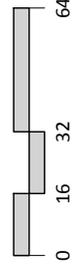
JLG 16002 - LANDER GROUP 38TH STREET

COW04B - FLOOR PLAN - SECOND

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RESIDENTIAL	11,298 SF
TOTAL	11,298 SF

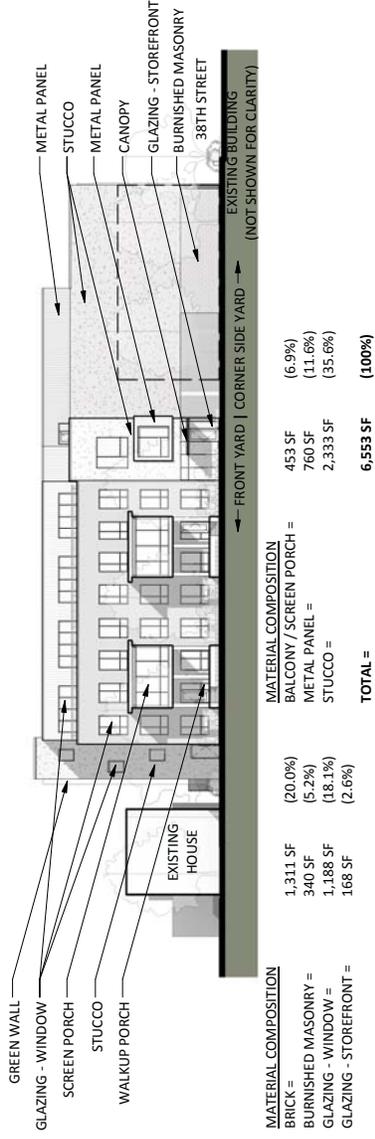


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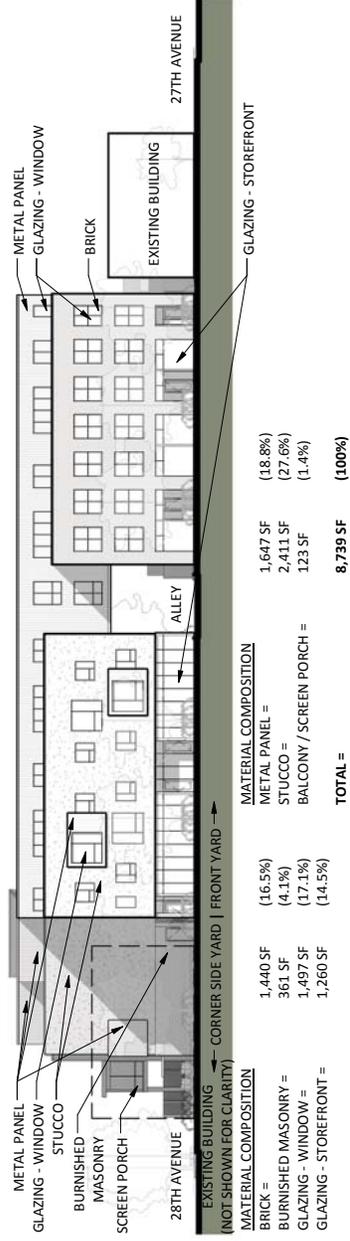
JLG 16002 - LANDER GROUP 38TH STREET

COW04D - FLOOR PLAN - FOURTH

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EAST ELEVATION

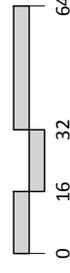


NORTH ELEVATION

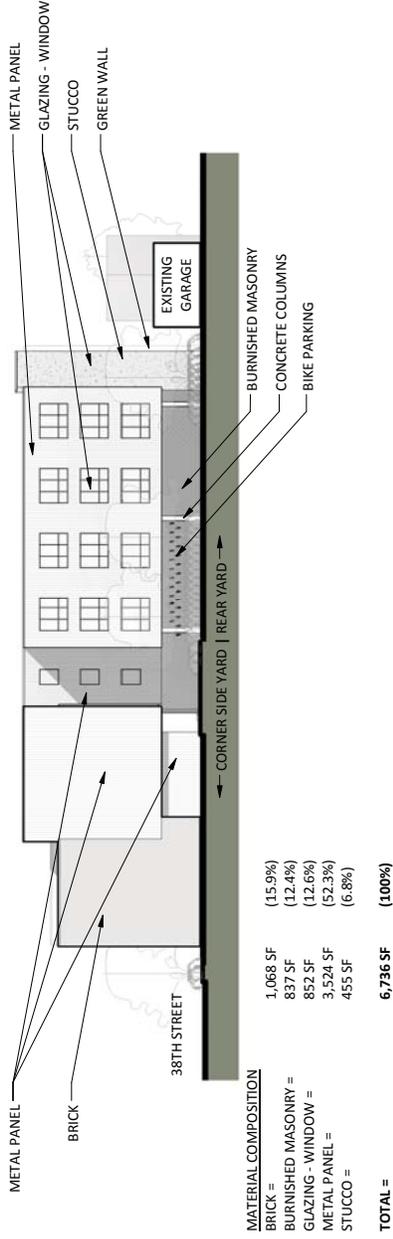
JLG 16002 - LANDER GROUP 38TH STREET

COW05A - ELEVATIONS - NORTH AND EAST

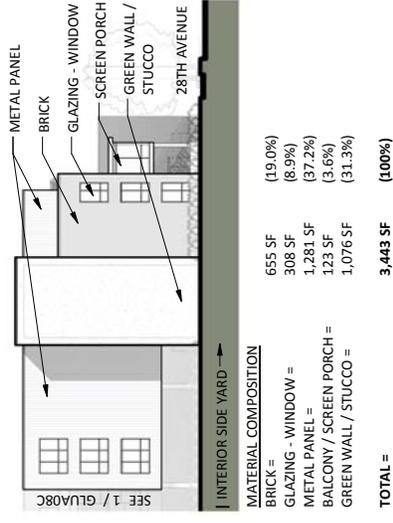
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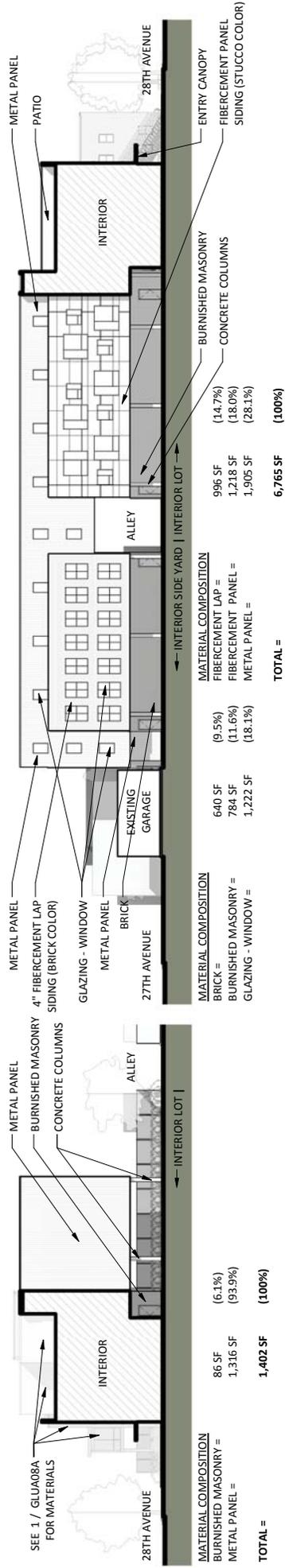
11.



WEST ELEVATION



SOUTH ELEVATION AT INTERIOR SIDE

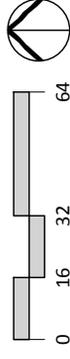


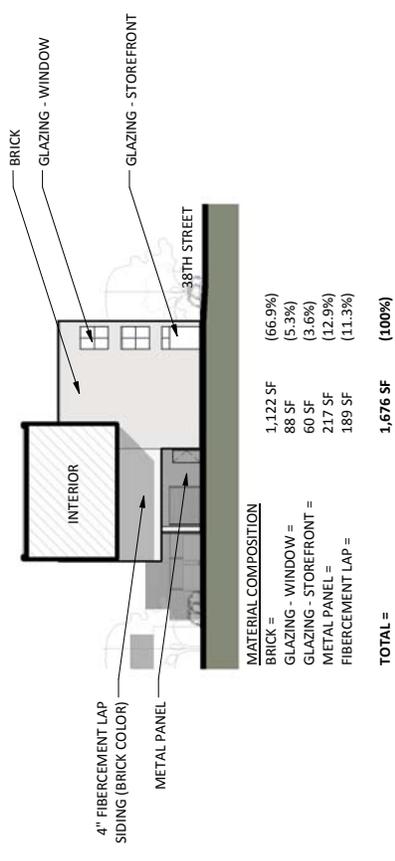
NORTH ELEVATION AT INTERIOR

SOUTH ELEVATION AT INTERIOR

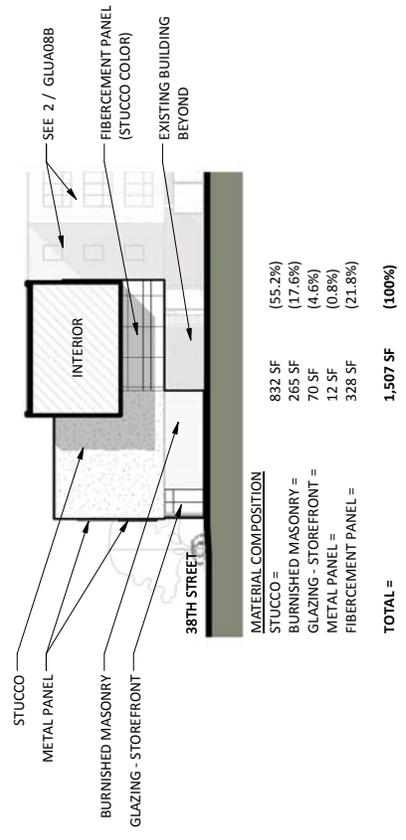
JLG 16002 - LANDER GROUP 38TH STREET
 COW05B - ELEVATIONS - WEST, SOUTH, AND INTERIOR

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EAST ELEVATION AT ALLEY

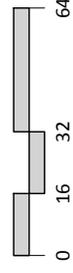


WEST ELEVATION AT ALLEY

JLG 16002 - LANDER GROUP 38TH STREET

COW05C - ELEVATIONS - ALLEY

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JLG 16002 - LANDER GROUP 38TH STREET

COW06A - RENDERING - 38TH STREET FROM WEST

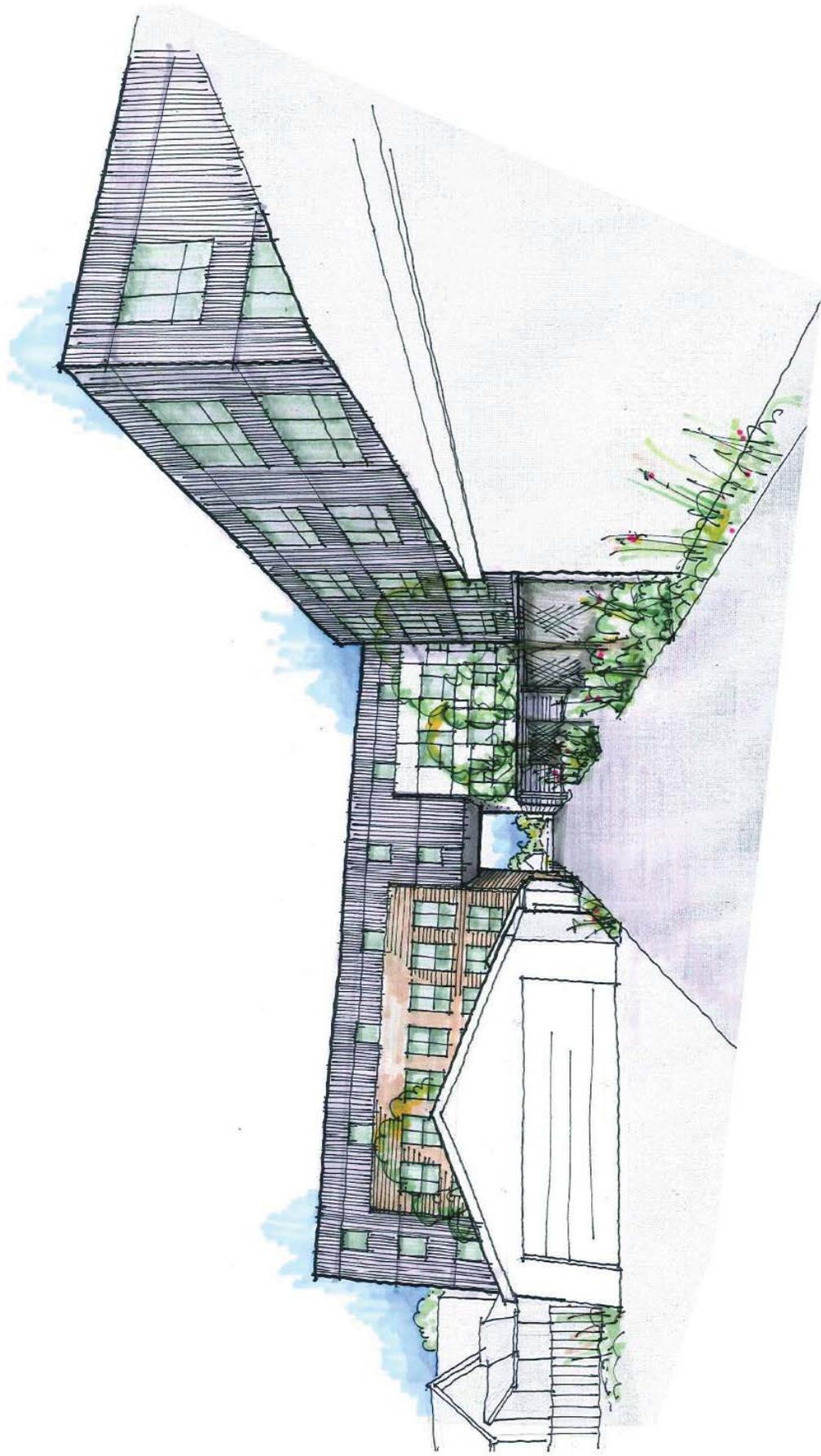
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JLG 16002 - LANDER GROUP 38TH STREET

COW06B - RENDERING - 28TH AVENUE FROM SOUTH

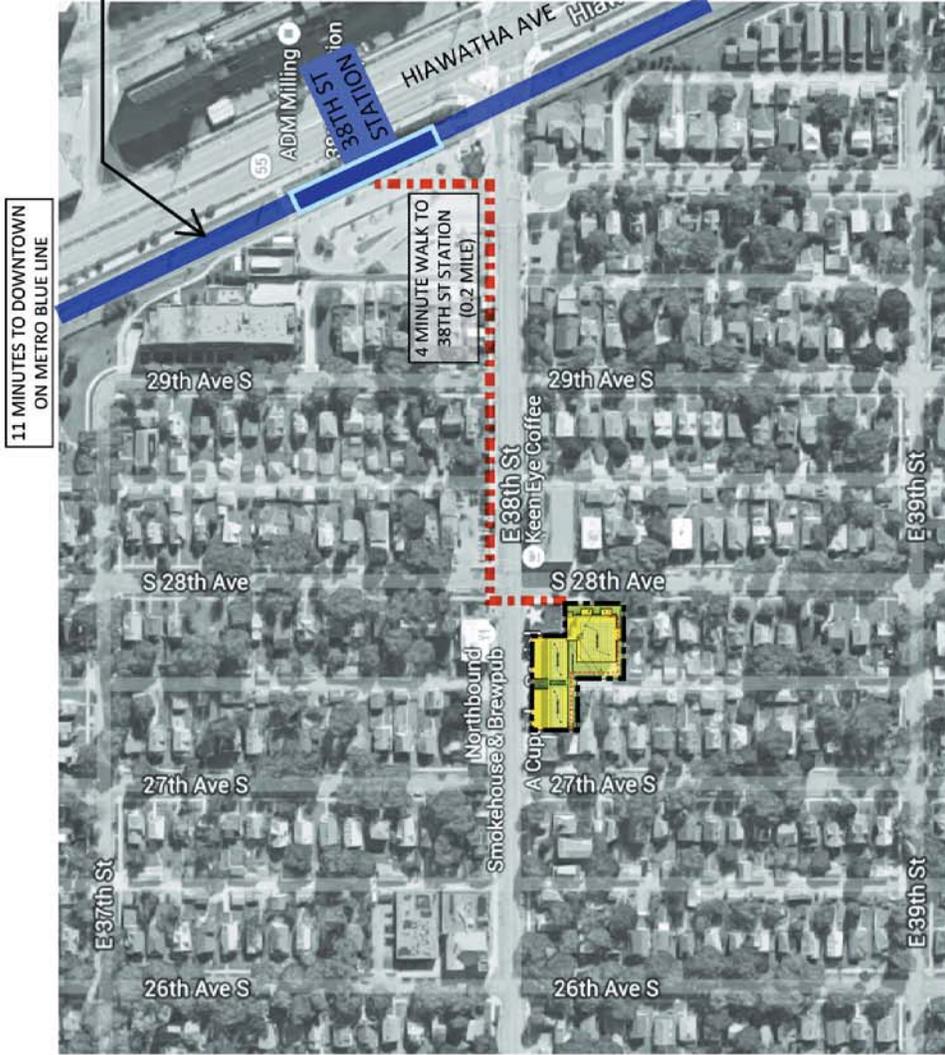
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JLG 16002 - LANDER GROUP 38TH STREET

COW06C - RENDERING - ALLEY FROM SOUTH

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METRO BLUE LINE

11 MINUTES TO DOWNTOWN ON METRO BLUE LINE

4 MINUTE WALK TO 38TH ST STATION (0.2 MILE)



NOTE:
ALL REMAINING PROPERTIES WITHOUT A LABEL ARE SINGLE-FAMILY RESIDENCES



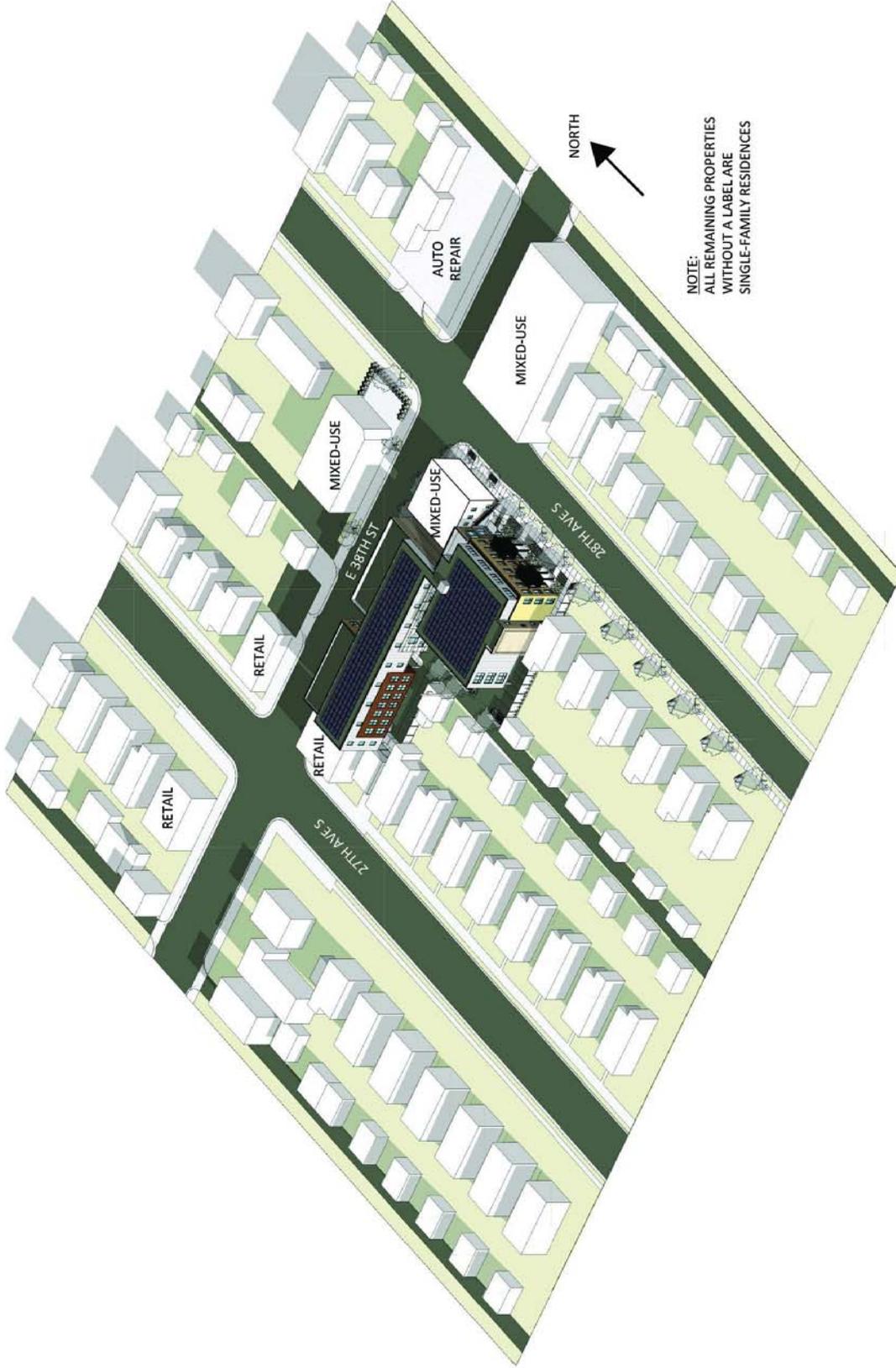
200 ft.

JLG 16002 - LANDER GROUP 38TH STREET

COW07A - CONTEXT STUDY - LOCATION

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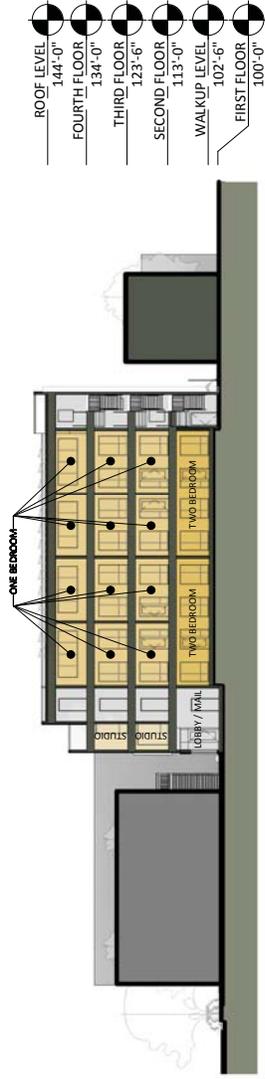


NOTE:
 ALL REMAINING PROPERTIES
 WITHOUT A LABEL ARE
 SINGLE-FAMILY RESIDENCES

JLG 16002 - LANDER GROUP 38TH STREET

COW07B - CONTEXT STUDY - AERIAL

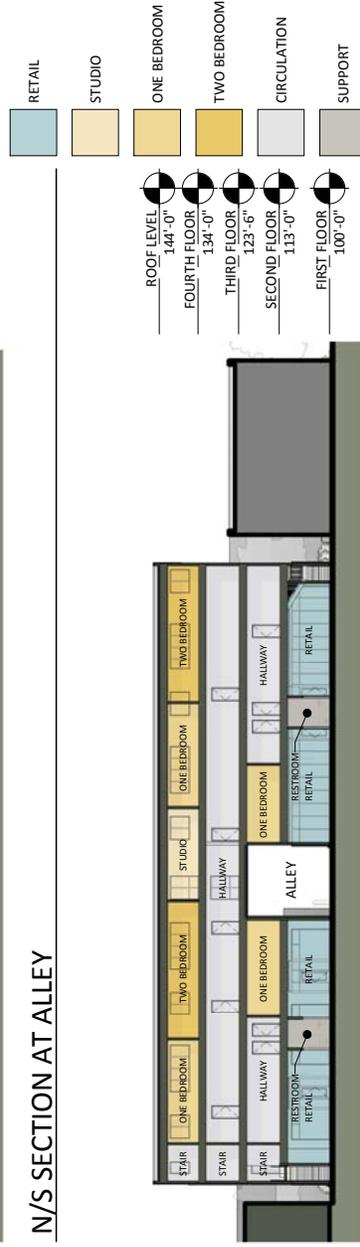
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N/S SECTION AT UNITS



N/S SECTION AT ALLEY

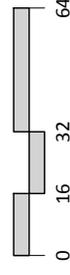


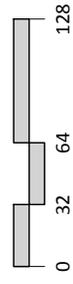
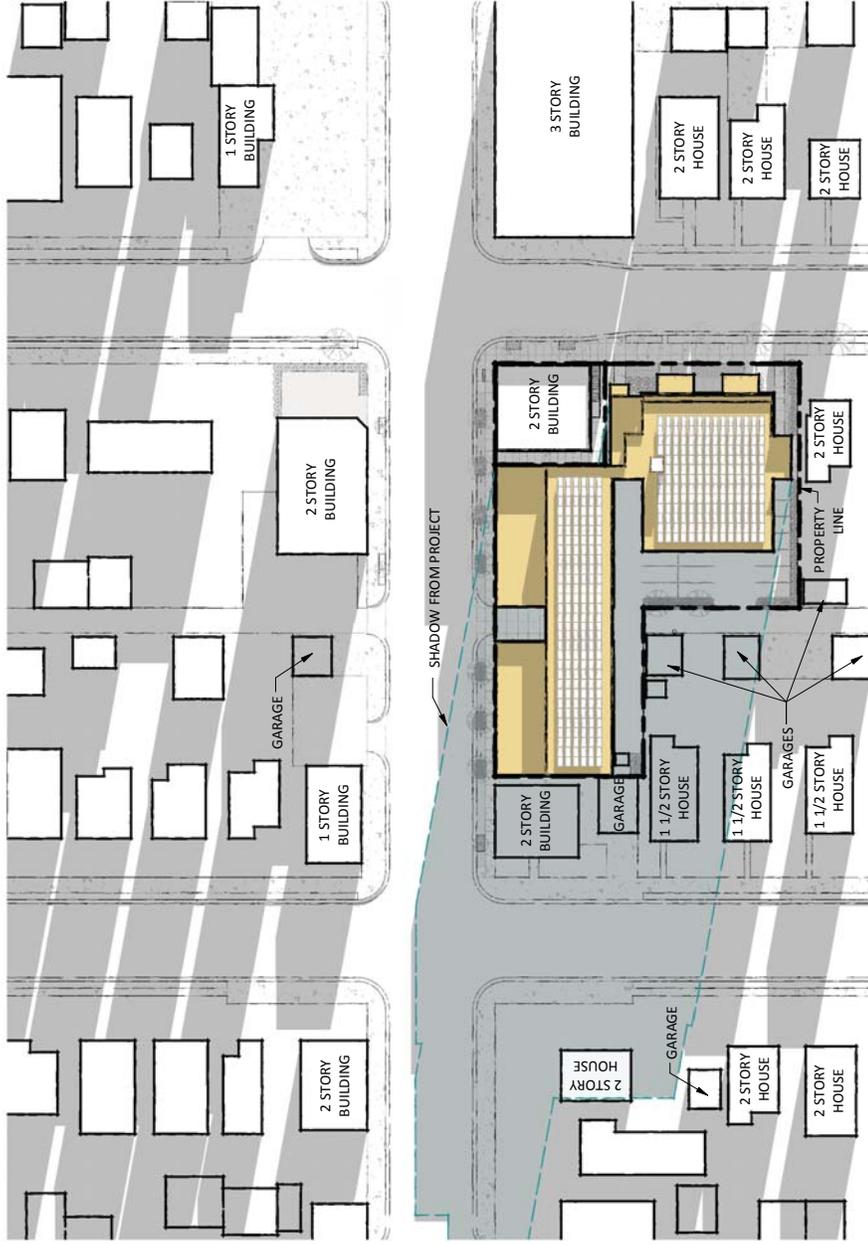
E/W SECTION AT HALLWAY

JLG 16002 - LANDER GROUP 38TH STREET

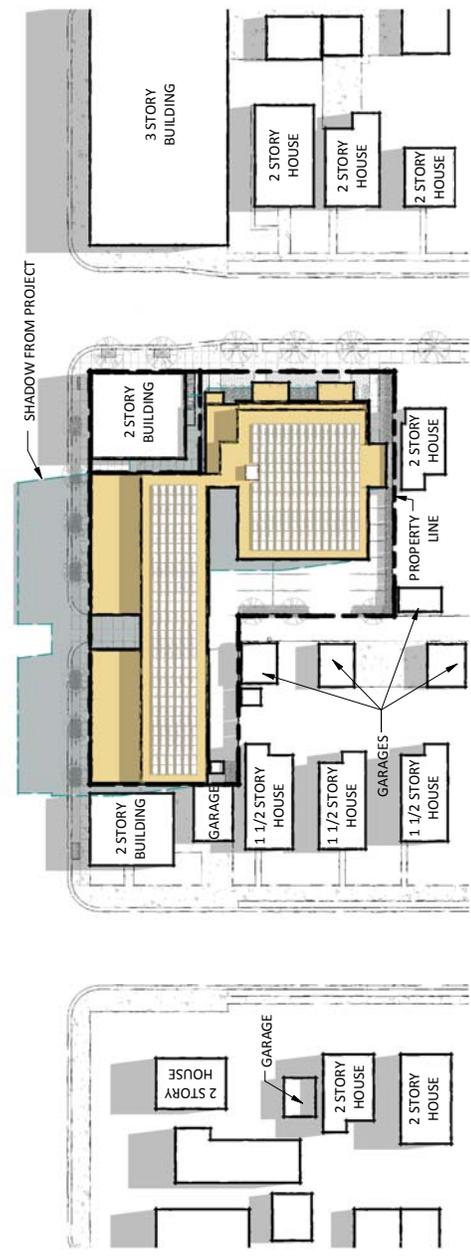
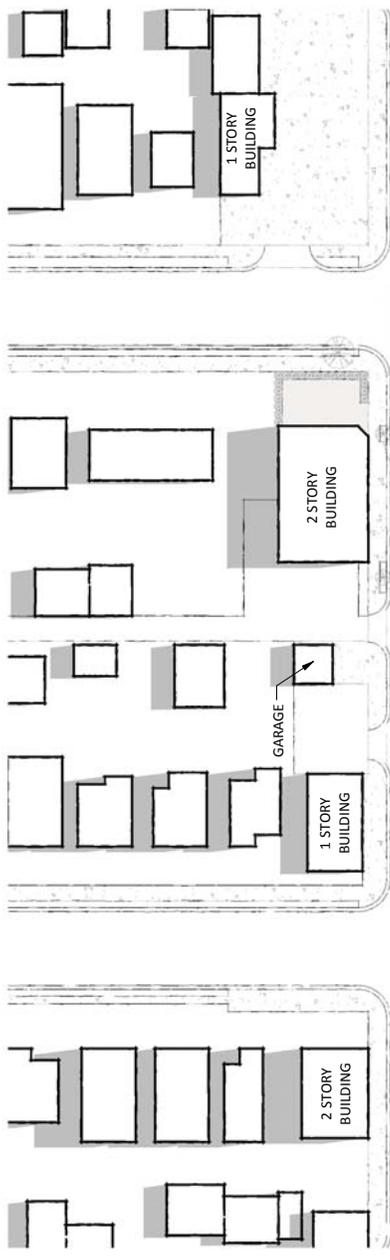
COW08 - BUILDING SECTIONS

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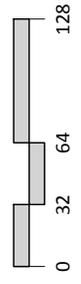




JLG 16002 - LANDER GROUP 38TH STREET
 COW09A - SUN STUDY - MARCH / SEPTEMBER 20TH - 1 HOUR AFTER SUNRISE



SHADOW FROM PROJECT



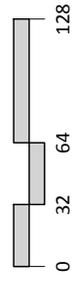
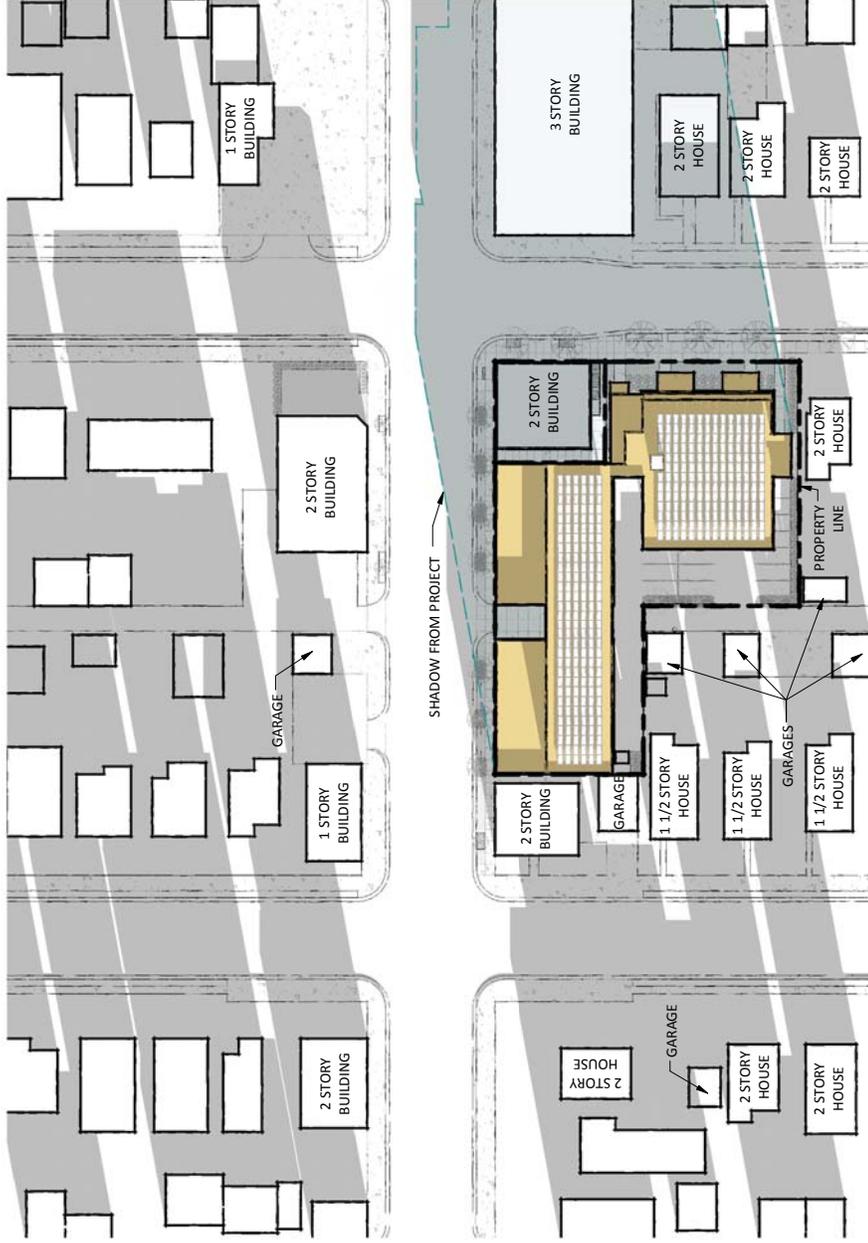
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JLG 16002 - LANDER GROUP 38TH STREET

COW09B - SUN STUDY - MARCH / SEPTEMBER 20TH - NOON

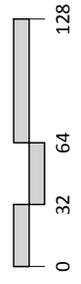
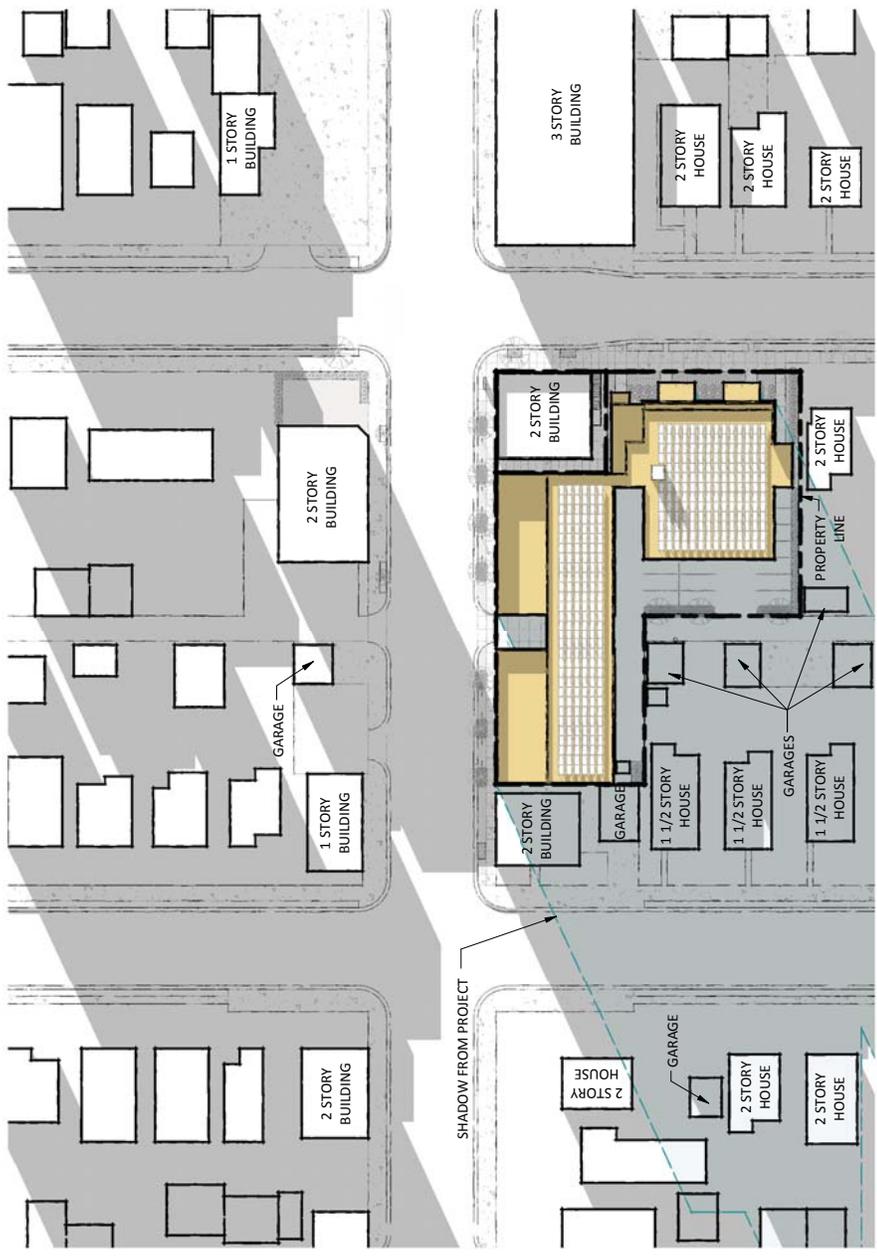
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22.

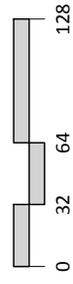
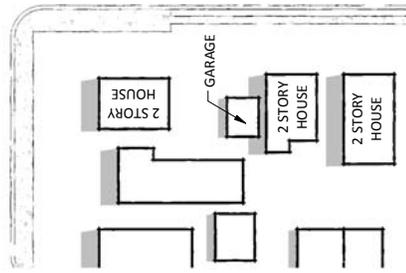
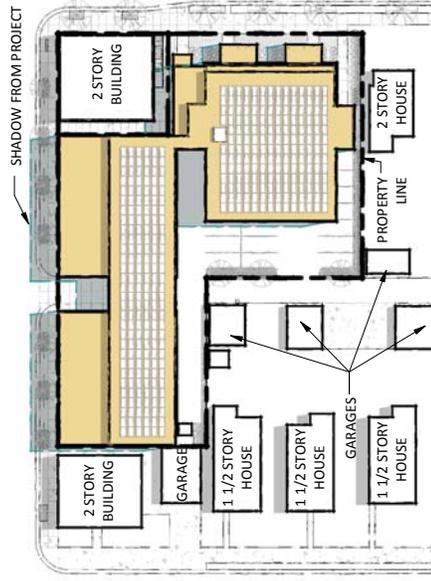
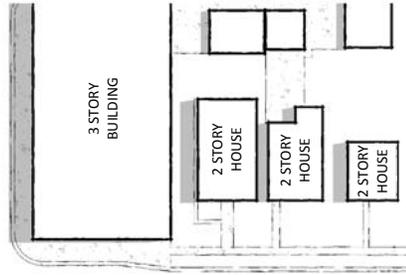
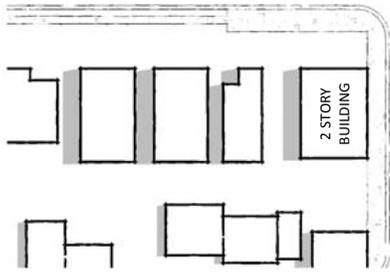
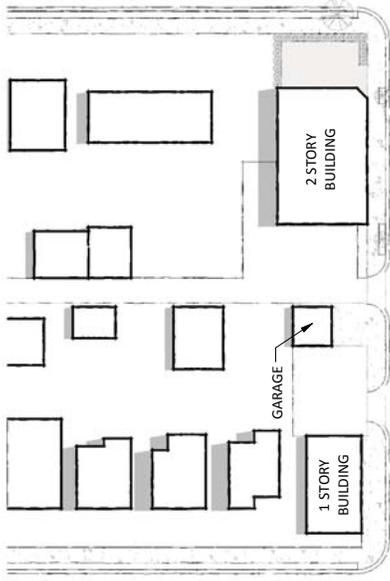
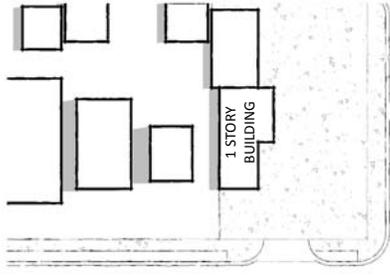
JLG 16002 - LANDER GROUP 38TH STREET
 COW09C - SUN STUDY - MARCH / SEPTEMBER 20TH - 1 HOUR BEFORE SUNSET

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JLG 16002 - LANDER GROUP 38TH STREET

COW09D - SUN STUDY - JUNE 21ST - 1 HOUR AFTER SUNRISE

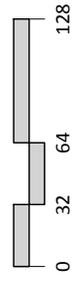
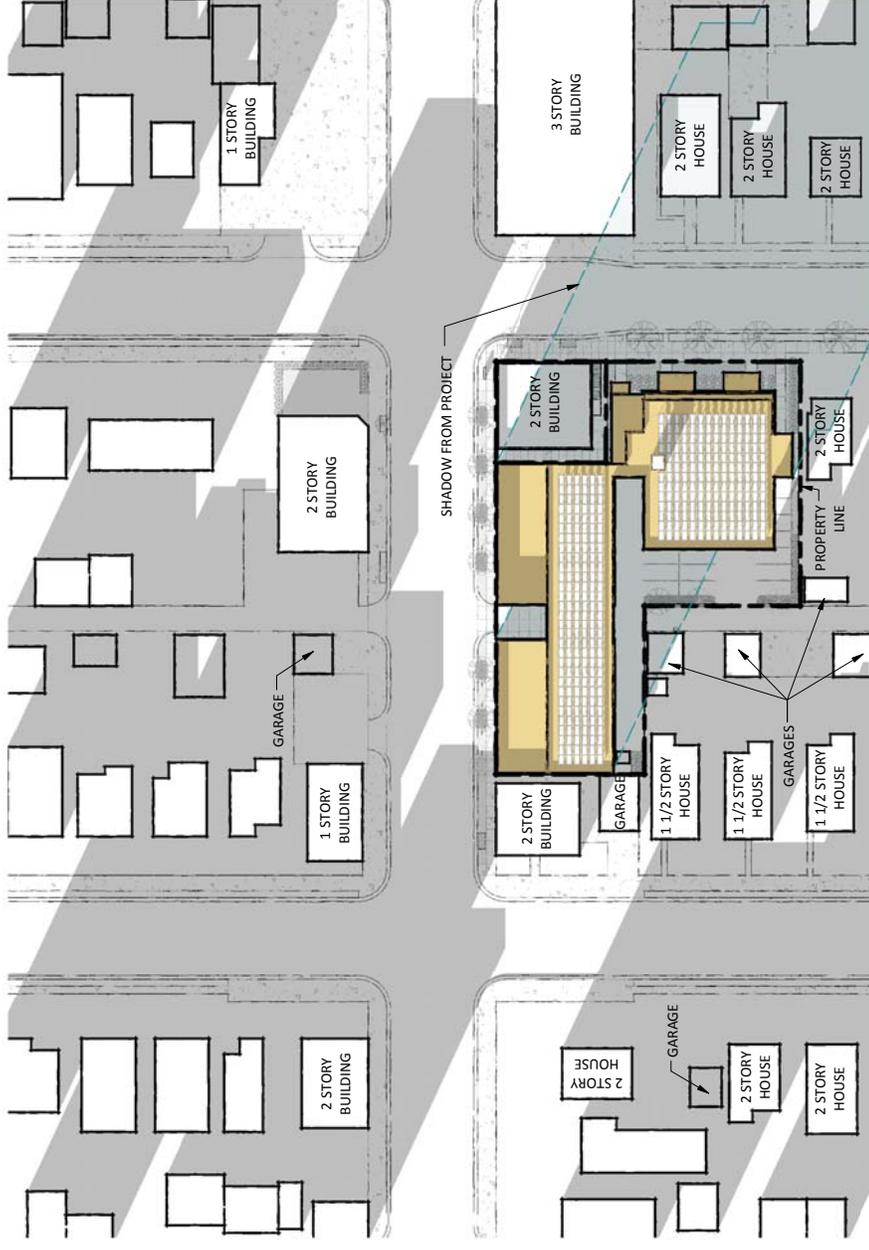


24.

JLG 16002 - LANDER GROUP 38TH STREET

COW09E - SUN STUDY - JUNE 21ST - NOON

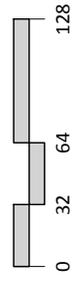
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JLG 16002 - LANDER GROUP 38TH STREET

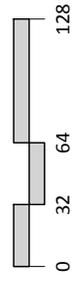
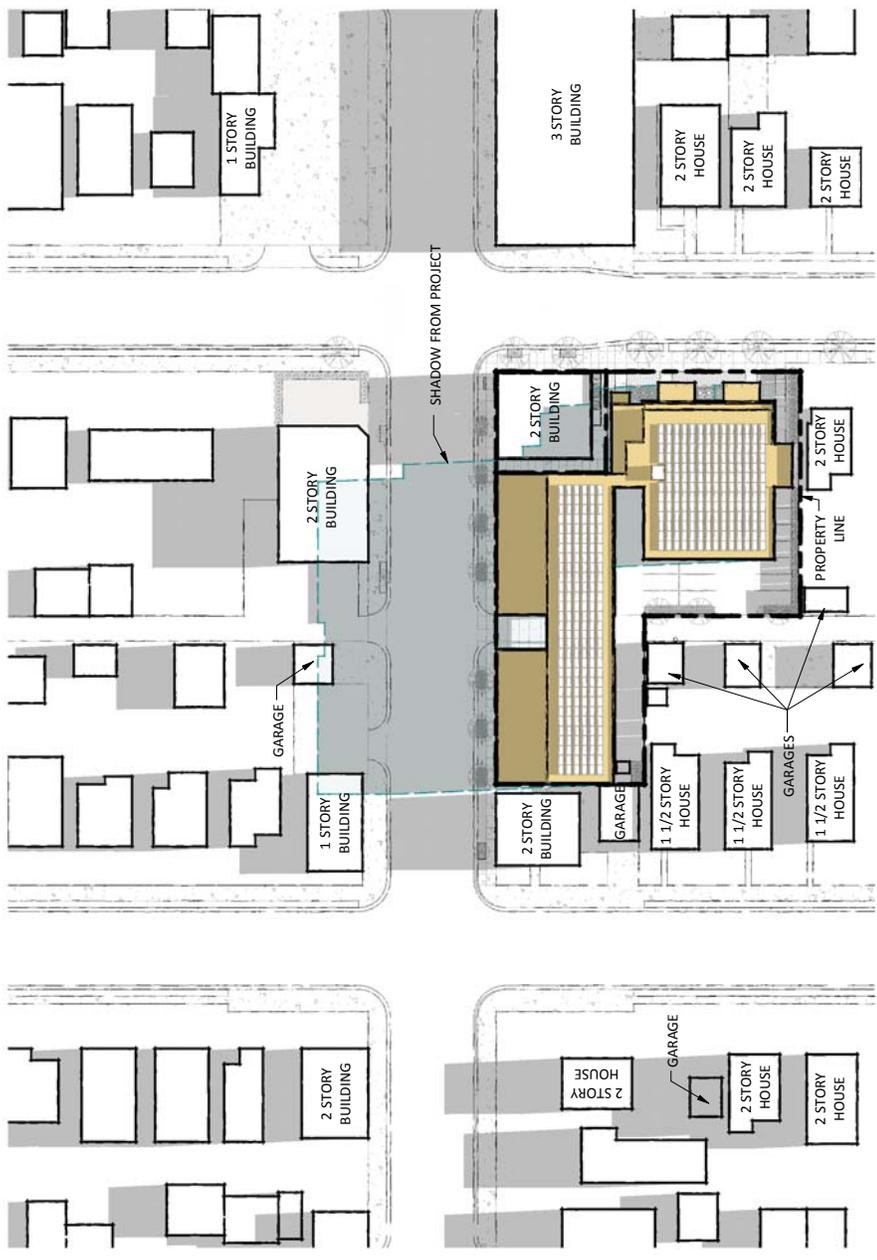
COW09F - SUN STUDY - JUNE 21ST - 1 HOUR BEFORE SUNSET

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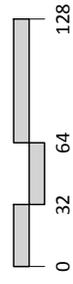
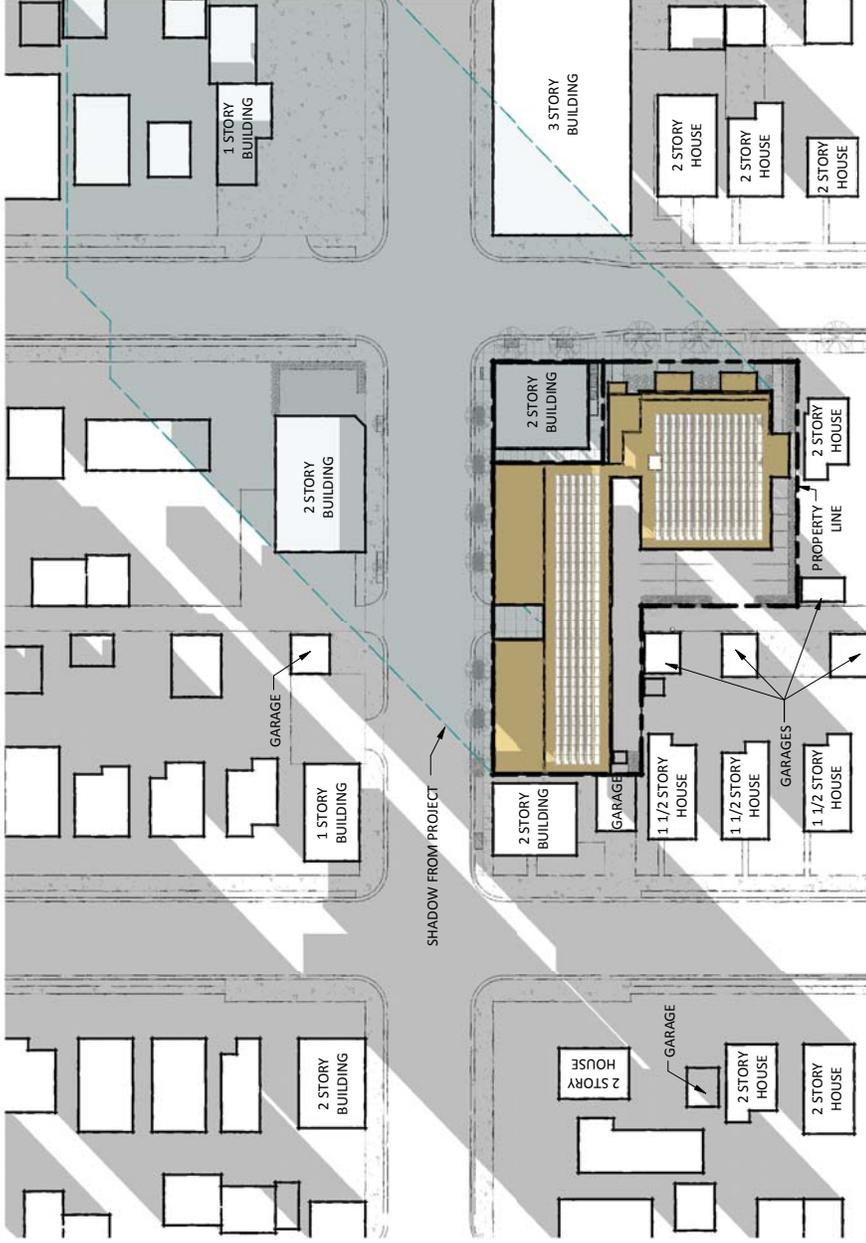
JLG 16002 - LANDER GROUP 38TH STREET

COW09G - SUN STUDY - DECEMBER 22ND - 1 HOUR AFTER SUNRISE



JLG 16002 - LANDER GROUP 38TH STREET

COW09H - SUN STUDY - DECEMBER 22ND - NOON



JLG 16002 - LANDER GROUP 38TH STREET

COW09I - SUN STUDY - DECEMBER 22ND - 1 HOUR BEFORE SUNSET

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