Department of Community Planning and Economic Development – Planning Division
Conditional Use Permit and Site Plan Review
BZZ-3715

Date: December 3, 2007

Applicant: Basim Sabri with Karmel Village, LLC

Address of Property: 2848 Pleasant Avenue and 2825 Grand Avenue South

Project Name: Karmel Village

Contact Person and Phone: Phillip Broussard with Architron, Ltd., (612) 331-0567, ext. 201

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

Date Application Deemed Complete: October 4, 2007

End of 60-Day Decision Period: December 3, 2007

End of 120-Day Decision Period: A 60-day extension letter was mailed on November 16, 2007, extending the 120-day decision period to February 1, 2008

Ward: 6 **Neighborhood Organization:** Whittier Alliance

Existing Zoning: R5, Multiple-family District

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 25

Legal Description: Not applicable for this application

Proposed Use: 92-unit multiple-family residential development with enclosed parking

Concurrent Review:
Conditional use permit: for 92 dwelling units
Site plan review

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

Background: The building located at 2848 Pleasant Avenue South was originally built in 1917 as a steel foundry. In the 1950s, the building was converted to a machine shop for Midwestern Machinery which remained in operation until 2005. In March of 2004, The Cornerstone Group applied for several land use applications to convert the industrial building into a 58-unit multiple-family development,

including a rezoning application from the I2, Medium Industrial District to the R5, Multiple-family District. All of the applications for this development proposal were approved. Due to unforeseen structural issues The Cornerstone Group decided that it was not feasible to rehab the existing building and instead applied for several more land use applications to demolish the existing building and allow for the construction of a 4-story, 123-unit multiple-family development in March of 2005. The development of a 123-unit building on the site required a rezoning application from the R5, Multiple-family District to the R6, Multiple-family District. All of the applications for this development were denied.

Since 2005 the building has remained vacant and although the building was being marketed for housing the project never came to fruition. Now, the building has a new owner who is proposing to convert the existing building into a 92-unit multiple-family development. The majority of the existing building will be rehabbed leaving a small portion of the building to be demolished. The area on the north side of the site where the existing building will be demolished a new 4-story addition will be constructed in its place.

As part of the approvals in 2004 a portion of the public alley was vacated and a new leg of the alley was approved to be built leading out towards Grand Avenue South. The alley was never reconfigured per the approvals of the City Council. As part of this development the alley needs to be rebuilt per the City Council approvals in order for there to not be a dead-end alley on the block. As part of the Preliminary Development Review meeting with Public Works the Right-of-Way division has requested that the applicant provide an easement over the new portion of the alley that will become public right-of-way. In addition, when the alley was vacated the properties located at 2820 and 2826 Pleasant Avenue lost access to the alley as the western half of the alley reverted back to the subject property. As part of the vacation in 2004 the applicant at the time was going to provide an easement to the two adjacent property owners in order for them to maintain access to their properties. Again, this never occurred. The Planning Division is recommending that the applicant work with the adjacent property owners for purposes of providing an access easement to them.

In February of 2007, the Minneapolis City Council adopted the *Midtown Greenway Land Use and Development Plan*. The plan is intended to provide guidance for private development in the vicinity of the Midtown Greenway. This plan is described in more detail later in the report.

The applicant has met with the Whittier Alliance on several occasions to discuss the development proposal. In this staff report there is a series of letters and e-mail correspondence between the applicant, the Council Member and the Whittier Alliance. Ultimately, the neighborhood organization voted to "deny support" of the project based on its density and the potential for it to create traffic congestion on the surrounding streets.

This development was originally discussed at the October 29, 2007, City Planning Commission meeting. At that meeting the Planning Commission continued the development for two cycles and requested that a number of issues be looked into with more detail. Specifically, the Planning Commission requested that they be provided a copy of the Travel Demand Management Plan, that the applicant work with the Hennepin County Regional Railroad Authority for purposes of providing better access to the Midtown Greenway from the building and the public streets, that the applicant look at providing active uses in the lower two levels of the building for purposes of providing "eyes on the Greenway", provide more detail

on the landscaping plan, detail where the green roofs will be located on the building, explore making the courtyard a more "true" courtyard and look at ways to incorporate more spaces for children to play on the site.

Attached to this report you will find a copy of the Travel Demand Management Plan that has been accepted by both Public Works and Planning, e-mail correspondence between the applicant and both the Hennepin County Regional Railroad Authority and the Midtown Greenway Coalition, a more detailed landscaping plan which highlights the water infiltration areas around the site and the location of the green roofs. In addition there are photos of green roof types that the applicant is proposing to install.

As for access to the Midtown Greenway the applicant is proposing to connect a catwalk to the building that runs along the entire southern façade connecting Pleasant Avenue to Grand Avenue South. The catwalk can be accessed from both streets but to get to the greenway level one has to use the staircase located on the Pleasant Avenue side of the building. Along the lower two levels of the building that applicant is proposing to install large windows along the entire length of the building wall. The applicant is also proposing to locate a day care facility on level B1 with an extension of the use located on level B2. Please note that if in the future a day care facility does locate in the building that the operator of the use will need to apply for a conditional use permit. On the remainder of level B2 the applicant is proposing to locate an exercise room and a community room for tenants of the building as well as a bicycle storage and repair room.

As for the courtyard the applicant has reduced the total number of parking spaces within the area from seven to four and has changed the material of the driveway surface from bituminous to a porous pavement system. The applicant has also reconfigured the shape of the parking area and the driveway. As for spaces on the site for children to play the applicant has pushed all of the landscape materials to the perimeter of the yard on the north side of the building leaving an open area that is approximately 1,800 square feet in size. The applicant has also been in contact with the Hennepin County Regional Railroad Authority and is discussing with them the possibility of using the yard area between the building and the paved trail as a passive play area. The Hennepin County Regional Railroad Authority has indicated that structured play equipment will not be allowed but that the grades of the area can be manipulated to create a "play structure" naturally.

CONDITIONAL USE PERMIT - for 92 dwelling units

Findings as Required by the Minneapolis Zoning Code:

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

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

The Planning Division does not believe that a 92-unit multiple-family development will be detrimental to or endanger the public health, safety, comfort or general welfare. The surrounding area is primarily residential in nature with a mixture of housing developments of varying densities. Scattered throughout

the area, mostly along the Midtown Greenway, there are commercial developments in the area including auto-related uses and a shopping center.

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

The Planning Division does not believe that a 92-unit multiple-family development would be injurious to the use and enjoyment of other property in the vicinity or impede the normal or orderly development and improvement of surrounding property. Converting the former industrial site to a residential development will provide additional opportunities for housing within the neighborhood. The property is zoned R5 which requires a minimum of 900 square feet per dwelling unit. The site in question is 69,551 square feet in size which would allow up to 77 dwelling units. The development qualifies for the 20 percent density bonus for enclosed parking which as of right allows an additional 15 dwelling units bringing the total number of units permitted on the site to 92 units.

The Planning Division also believes that rehabbing the existing building instead of tearing it down and starting with a vacant site is positive for the neighborhood. Maintaining the existing buildings in the area adds to the historic fabric of the City of Minneapolis.

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

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

As for vehicular access, there are currently two ways to get into and out of the site. One access point is located along Pleasant Avenue and the other is located along Grand Avenue South. The applicant is proposing to keep both of these access points.

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

In the R5 zoning district the zoning code requires 1.0 parking space per dwelling unit. For 92 dwelling units the parking requirement would be 92 spaces. The applicant is proposing to provide a total of 96 parking spaces on the site. Of the 96 parking spaces 92 of them are for the residents and the remaining four are for guests.

Although the project is meeting the zoning code requirement for parking the Planning Division has some concern in regard to the number of dwelling units proposed in the building compared to the number of parking spaces provided for the residents. The applicant has indicated that there will be 30 two bedroom units, 41 three bedroom units, 15 four bedroom units and six five bedroom units. In total there will be 279 bedrooms in the building. If a large percentage of these bedrooms are occupied by people of driving age, the project could contribute to significant parking congestion in the area.

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

The site is located on the designated Midtown Greenway and one block north of West Lake Street which is a designated Commercial Corridor. According to the principles and polices outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Minneapolis will grow by increasing its supply of housing (Policy 4.9)
- Minneapolis will maintain and strengthen the character of the city's various residential areas (Policy 9.8).
- Minneapolis will increase citizen awareness of preservation and the important role it plays in fostering community revitalization and civic pride (Policy 9.14).

The Planning Division believes that this development is in compliance with the above policies of *The Minneapolis Plan.*

In the *Midtown Greenway Land Use and Development Plan* the site is called out as a high-density housing site ranging between 40 and 120 dwelling units per acre. In addition, the site is located in an Urban-Oriented development district which permits apartment buildings between three and five stories. The Planning Division believes that the proposed development is in conformance with the *Midtown Greenway Land Use and Development Plan*.

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

With the approval of the conditional use permit and site plan review this development will be in conformance with the applicable regulations of the R5 zoning district.

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 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.**

- **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.**

PLANNING DEPARTMENT RESPONSE:

- The building reinforces the street wall, facilitates pedestrian access and maximizes natural surveillance. The majority of the existing building will remain after the building renovation is complete. Although there will be an addition added to the building the building facades along both Pleasant Avenue and Grand Avenue South will remain as will the 12-foot high brick wall along Pleasant Avenue. The addition will be constructed internally to the site but will be visible from surrounding properties as it will be four stories in height. The principal entrance and those leading directly to individual units will be directly connected to the public sidewalk and there will be windows and balconies located along all levels of the building.
- The zoning code requires that the building be located within eight feet of the property line except where a greater yard is required by the zoning ordinance. In this case the properties to the north of the site along both Pleasant Avenue and Grand Avenue South are zoned residential and require a minimum setback of 15 feet and 16 feet respectively. The building addition along Pleasant Avenue South will be setback 15 feet and the building along Grand Avenue South is existing.
- The area in between the building addition and the front property line along Pleasant Avenue will be landscaped. Given that the 12-foot high brick wall is going to remain on the site none of the "front yard" will be visible from the street.
- The principal entrance to the building is oriented towards Pleasant Avenue. In addition, three of the six first floor units along Grand Avenue South will have entrances directly accessible from the public sidewalk.
- All of the parking for this development is located on the first floor of the building and is enclosed.
- The exterior material of the existing building is brick and the exterior material of the addition is proposed to be stucco. To ensure that the material is of a durable nature the Planning Division is recommending that the exterior material of the addition be stucco.
- There are no areas of the existing building or the addition that are over 25 feet in length and void of windows, entries, recesses or projections, or other architectural elements.

- At least 20 percent of the first floor of the building and at least 10 percent of the upper floors of the Pleasant Avenue, Grand Avenue South and the Midtown Greenway sides of the building are required to be windows. The analysis of the project's compliance with these requirements follows:
  - Pleasant Avenue: the percentage of windows on the first floor is 22 percent and the percentage of windows on the second through fourth floors of the building is greater than 10 percent. Please note that a majority of the first floor windows along the Pleasant Avenue side of the building are located behind the existing 12-foot high brick wall.
  - Grand Avenue South: the percentage of windows on the first floor is 24 percent and the percentage of windows on the second through fourth floors of the building is greater than 10 percent.
  - Midtown Greenway: the percentage of windows on the first floor is 50 percent and the percentage of windows on the upper levels of the building is greater than 10 percent.
- The windows in the building are vertical in nature and are evenly distributed along the building walls.
- The principal roof line of the existing building has a slight pitch to it but to the eye is flat. The principal roof line of the addition is proposed to be flat. The Planning Division believes that the two roof pitches will be compatible with one another and with other buildings in the area.

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.**

PLANNING DEPARTMENT RESPONSE:

- The principal entrance to the building addition will be connected to the public right-of-way via a new walkway and an accessible ramp.
- No transit shelters are proposed as part of this development.
- All of the parking for this development is located on the first floor of the building and is enclosed.
- As part of the approvals in 2004 a portion of the public alley was vacated and a new leg of the alley was approved to be built leading out towards Grand Avenue South. The alley was never reconfigured per the approvals of the City Council. As part of this development the alley needs to be rebuilt per the City Council approvals in order for there to not be a dead-end alley on the block. As part of the Preliminary Development Review meeting with Public Works the Right-of-Way division has requested that the applicant provide an easement over the new portion of the alley that will become public right-of-way. Although the applicant will own land on both the north and south sides of the new east-west alley there will not be direct access from the site to the public alley.
- There maximum impervious surface requirement in the R5 zoning district is 85 percent. According to the applicant's submittal materials 77 percent of the site is impervious.

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 plant, 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.**

PLANNING DEPARTMENT RESPONSE:

- The zoning code requires that at least 20 percent of the site not occupied by the building be landscaped. The lot area of the site is 69,551 square feet. The footprint of the building 48,634 square feet. When you subtract the footprint from the lot size the resulting number is 20,917 square feet. Twenty percent of this number is 4,183 square feet. According to the applicant's landscaping plan there is 16,174 square feet of landscaping on the site or approximately 77 percent of the site not occupied by the building.
- The zoning code requires at least 1 canopy tree for each 500 square feet of required green space and at least 1 shrub for each 100 square feet of required green space be planted on the site. The minimum tree and shrub requirement for this site is eight and 42 respectfully. According to the applicant's submittal materials there will be eight canopy trees and 145 shrubs planted on the site. The applicant is proposing to plant six additional canopy trees in the right-of-way however.

- The applicant is proposing to have a series of green roofs on the building. All of the green roofs will have shallow planting areas less than six inches in depth.
- There are no on-site parking areas to be landscaped and screened.

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.**

PLANNING DEPARTMENT RESPONSE:

- Stormwater runoff will be directed to the green spaces located on the site including the open yards north of the building and in the courtyard and the shallow planting areas on the roof of the building.
- The building and the building addition should not block views of important elements in the city.
- The building and the building addition should cast minimal shadows on surrounding properties. Please note that this building will not cast shadows on the Midtown Greenway as it is located on the north side of the trench.
- The building and the building addition should have minimal wind effects on the surrounding area.
- The site plan complies with crime prevention design elements as the principal entrance will be connected to the public right-of-way, there are windows located along all sides of the building where people can see in and out and there will be lights located near all of the building entrnaces
- This site is neither historically designated nor located in a historic district. Please note that the Midtown Greenway is a nationally designated landmark.

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

ZONING CODE:

- **Use:** Residential uses over five dwelling units require a conditional use permit in the R5 zoning district.

- **Off-Street Parking and Loading:** In the R5 zoning district the zoning code requires 1.0 parking space per dwelling unit. For 92 dwelling units the parking requirement would be 92 spaces. The applicant is proposing to provide a total of 96 parking spaces on the site. Of the 96 parking spaces 92 of them are for the residents and the remaining four are for guests.

- **Maximum Floor Area:** The maximum FAR in the R5 zoning district is 2.0. The lot in question is 69,551 square feet in area. The applicant proposes a total of 125,690 square feet of gross floor area, an FAR of 1.81.

- **Building Height:** Building height in the R5 zoning district is limited to four stories or 56 feet. The applicant is proposing to construct a building that is four stories or 56 feet in height.

- **Minimum Lot Area:** The minimum lot area per dwelling unit in the R5 zoning district is 900 square feet. With 92 proposed dwelling units on a lot of 69,551 square feet, the applicant proposes 755 square feet of lot area per dwelling unit.

  Section 547.130 allows a 20 percent increase in the number of dwelling units allowed within a development if all required parking is provided within the building, entirely below grade, or in a parking garage of at least two levels. This development qualifies for this density bonus as all of the required parking is located within the building. When calculated this would allow up to 92 dwelling units on the site each with a minimum lot area of 755 square feet per dwelling unit, which would permit the proposed number of units.

- **Dwelling Units per Acre:** The site is 1.6 acres in size. There are 57.5 dwelling units per acre proposed on the site.

- **Yard Requirements:** The front yard setback along Pleasant Avenue is 15 feet and the front yard setback along Grand Avenue South is 16 feet. The north and south interior side yard setbacks are 5+2x, where x equals the number of stories above the first floor. The resulting setback along these two sides of the building is 13 feet. All of the setbacks for this development are being met. Please note that the building is located at the south property line. Because this is an existing condition no variance is required.

- **Specific Development Standards:** There are no specific development standards for residential uses.

- **Hours of Operation:** Residential uses are not subject to hours of operation.

  Signs: Signs are subject to the requirements of Chapter 543 of the Zoning Code. Multiple-family buildings on sites larger than 40,000 square feet are allowed to have one wall sign not exceeding 32 square feet in size. The top of the sign can not be located more than 12 feet above the ground. On corner lots there may be two wall signs allowed. In addition to the wall sign, one freestanding sign

not exceeding 32 square feet in size and not taller than 8 feet is allowed on the site. Either the wall sign or the freestanding sign, but not both, may be illuminated.

The applicant did not submit any sign information as part of the project submittal.

- **Refuse storage:** The applicant is proposing to locate a trash and recycling room on the first floor of the building in the northwest corner.

- **Lighting:** A lighting plan showing footcandles was not submitted as part of the project submittal.

MINNEAPOLIS PLAN:

The site is located on the designated Midtown Greenway and one block north of West Lake Street which is a designated Commercial Corridor. According to the principles and polices outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Support the development of residential dwellings of appropriate form and density (Policy 9.5).
- Expand the understanding of the role that urban density plays in improving business markets, increasing the feasibility of urban transit systems and encouraging the development of pedestrian-oriented services and open spaces (Implementation Step for Policy 9.5).
- Work with private and other public sector partners to invest in new development that is attractive, functional and adds value to the physical environment (Policy 9.6).
- Promote urban design solutions for automobile parking facilities that reflect principle of traditional urban form (Policy 9.12).
- Minneapolis will encourage new development to use human scale design features and incorporate sunlight, privacy, and view elements into building and site designs (policy 9.16).
- Minneapolis will build on recent initiatives to 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 (Policy 9.17).

The Planning Division believes that this development is in compliance with the above policies of *The Minneapolis Plan.*

In the *Midtown Greenway Land Use and Development Plan* the site is called out as a high-density housing site ranging between 40 and 120 dwelling units per acre. In addition, the site is located in an Urban-Oriented development district which permits apartment buildings between three and five stories. The Planning Division believes that the proposed development is in conformance with the *Midtown Greenway Land Use and Development Plan.*

ALTERNATIVE COMPLIANCE:

- **The Planning Commission or zoning administrator may approve alternatives to any site plan review requirement upon finding any of the following:**
- **The alternative meets the intent of the site plan chapter and the site plan includes amenities or improvements that address any adverse effects of the alternative. Site amenities may include but are not limited to additional open space, additional landscaping and screening, green roof,**

decorative pavers, ornamental metal fencing, architectural enhancements, transit facilities, bicycle facilities, preservation of natural resources, restoration of previously damaged natural environment, rehabilitation of existing structures that have been locally designated or have been determined to be eligible to be locally designated as historic structures, and design which is similar in form, scale and materials to existing structures on the site and to surrounding development.

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

PLANNING DEPARTMENT RESPONSE:
Alternative compliance is not warranted for this development.

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 adopt the above findings and **approve** the conditional use permit application for 92 dwelling units located at 2848 Pleasant Avenue and 2825 Grand Avenue South 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 one year of approval.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the site plan review for the property located at 2848 Pleasant Avenue and 2825 Grand Avenue South subject to the following conditions:

1. The applicant shall dedicate an easement to the City of Minneapolis over the new portion of the alley that will become public right-of-way, as per Public Works specifications, prior to the issuance of any building permit.

2. The applicant shall negotiate an access easement with the adjacent property owners of 2820 and 2826 Pleasant Avenue, prior to the issuance of any building permits.

3. The exterior material of the addition shall be stucco.

4. Any changes to the site plan as a result of Preliminary Development Review may result in another public hearing by the City Planning Commission if the Zoning Administrator deems such changes significant under sections 525.360 and 530.100 of the zoning code.

5. Approval of the final site, landscaping, lighting and elevation plans by the Community Planning and Economic Development Department – Planning Division.

6. All site improvements shall be completed by December 3, 2008, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

Attachments:

1. Project description
2. Statement regarding the use of the two lower levels in the building
3. Conditional use permit findings
4. E-mail correspondence between the applicant and the Hennepin County Regional Railroad Authority and the Midtown Greenway Coalition
5. Maps from the *Midtown Greenway Land Use and Development Plan*
6. Report from the Preliminary Development Review meeting held on November 14, 2007
7. Travel Demand Management Plan
8. A series of letters and e-mail correspondence between the applicant, the Council Member and the Whittier Alliance
9. Zoning Map
10. Civil plans, site plan, landscaping plans, floor plans and elevations
11. Hennepin County Oblique Aerials of the site
12. Photographs of the site and surrounding area