

**Department of Community Planning and Economic Development – Planning Division**  
Rezoning, Conditional Use Permit, Variances and Site Plan Review  
BZZ-5638

**Date:** July 30, 2012

**Applicant:** CPM Development, Attn: Nick Walton, 2919 Knox Avenue South, Suite #200, Minneapolis, MN 55408

**Address of Property:** 1016, 1024, and 1032 Washington Avenue SE, 1025 Delaware Street SE, and 2408 University Avenue SE

**Project Name:** WaHu Student Housing

**Contact Person and Phone:** BKV Group, Inc., Attn: Gretchen Camp, 222 N. 2<sup>nd</sup> Street, Minneapolis, MN 55401, (612) 373-9122

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

**Date Application Deemed Complete:** June 21, 2012

**End of 60-Day Decision Period:** August 20, 2012

**End of 120-Day Decision Period:** On July 23, 2012, Staff sent a letter to the applicant extending the decision period to no later than October 19, 2012.

**Ward: 2**      **Neighborhood Organization:** Prospect Park – East River Road Improvement Association (PPERRIA)

**Existing Zoning:** C2 (Neighborhood Corridor Commercial) District, C3A (Community Activity Center) District, Stadium Village Area PO (Pedestrian Oriented) Overlay District, and UA (University Area) Overlay District

**Proposed Zoning:** C3A (Community Activity Center) District, Stadium Village Area PO (Pedestrian Oriented) Overlay District, and UA (University Area) Overlay District

**Zoning Plate Number:** 22

**Lot area:** 84,283 square feet or approximately 1.93 acres

**Legal Description:** Not applicable for this application.

**Proposed Use:** Construction of a 6 and 11-story, mixed-use development that includes 333 residential dwelling units with 790 bedrooms and approximately 30,500 square feet of ground level commercial/retail space.

**Concurrent Review:**

- Petition to rezone the property located at 1016 Washington Avenue SE from the C2 (Neighborhood Corridor Commercial) district to the C3A (Community Activity Center) district. Both the PO (Pedestrian-Oriented) Overlay District and UA (University Area) Overlay District will be maintained.

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- Conditional Use Permit to increase the maximum permitted height of a mixed-use building from 4 stories or 56 feet to approximately 11 stories or 132 feet at the tallest point.
- Variance to increase the maximum permitted Floor Area Ratio (F.A.R.) from 4.32 to 5.14.
- Variance to reduce the setback along the east interior side yard from 15 feet to 0 feet at the closest point.
- Variance to allow for an increase in the maximum retail size from 8,000 square feet up to 18,500 square feet.
- Variance to reduce the parking requirement for the residential component of the development in the UA district from 356 spaces to 336 spaces.
- Site Plan Review to allow for the construction of a new 6 and 11-story mixed-use development that includes 333 residential dwelling units with 790 bedrooms and approximately 30,500 square feet of ground level commercial/retail space.

**Applicable zoning code provisions:** Chapter 525, Article VI Zoning Amendments, Chapter 525: Article VII Conditional Use Permits, Article IX, Variances, specifically Section 525.520(1) “to vary the yard requirements...”; (3) “to vary the gross floor area, floor area ratio and seating requirements...”; (6) “to vary the applicable minimum and maximum number of required off-street parking, stacking or loading spaces”, and Chapter 530 Site Plan Review.

**Background:** The applicant proposes to construct a new 6 and 11-story (132 feet at the tallest point), 333 unit residential structure with 790 bedrooms and approximately 30,500 square feet of ground level commercial space on the properties located at 1016, 1024, and 1032 Washington Avenue SE, 1025 Delaware Street SE, and 2408 University Avenue SE. The property is located in both the C2 (Neighborhood Corridor Commercial) District and the C3A (Community Activity Center) District, as well as within the Stadium Village Area PO and UA Overlay District.

A rezoning is necessary as one of the underlying parcels, 1016 Washington Avenue SE is zoned C2 while the other properties that are part of the proposed development are zoned C3A. The applicant proposes to rezone the C2 parcel to C3A in order to unify the underlying zoning districts. A conditional use permit is required in order to allow an increase in height from 4 stories or 56 feet to 11 stories or 132 feet at the tallest point.

Several variances are also required for the proposed development which include: (1) a variance to increase the maximum permitted Floor Area Ratio (F.A.R.) from 4.32 to 5.14; (2) variance to reduce the setback along the east interior side yard from 15 feet to 0 feet at the closest point; (3) variance to allow for an increase in the maximum retail size from 8,000 square feet up to 18,500 square feet; (4) variance to reduce the parking requirement for the residential component of the development in the UA Overlay District from 356 spaces to 336 spaces. Site plan review is also necessary for the proposed development.

The applications are being continued to the August 13, 2012, City Planning Commission meeting in order for staff to review the Travel Demand Management Plan (TDMP) that was just submitted for the project as well as to conduct a thorough review of the submitted application materials.

**RECOMMENDATIONS:**

**Recommendation of the Department of Community Planning and Economic Development – Planning Division for the rezoning:**

The Department of Community Planning and Economic Development - Planning Division recommends that the City Planning Commission **continue** the rezoning petition to change the zoning classification of the property located at 1016 Washington Avenue SE from the C2 district to the C3A district to the August 13, 2012, Planning Commission meeting.

**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 application for a conditional use permit to allow an increase in height from 4 stories or 56 feet to approximately 11 stories or 132 feet at the tallest point for the properties located at 1016, 1024, and 1032 Washington Avenue SE, 1025 Delaware Street SE, and 2408 University Avenue SE to the August 13, 2012, Planning Commission meeting.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **continue** the application for a variance to allow an increase in the maximum allowable floor area ratio (FAR) from 4.32 to 5.14 for the properties located at 1016, 1024, and 1032 Washington Avenue SE, 1025 Delaware Street SE, and 2408 University Avenue SE to the August 13, 2012, Planning Commission meeting.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **continue** the application for a variance to reduce the setback along the east interior side yard from 15 feet to 0 feet at the closest point for the properties located at 1016, 1024, and 1032 Washington Avenue SE, 1025 Delaware Street SE, and 2408 University Avenue SE to the August 13, 2012, Planning Commission meeting.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **continue** the application for a variance to allow for an increase in the maximum retail size from 8,000 square feet up to 18,500 square feet for the properties located at 1016, 1024, and 1032 Washington Avenue SE, 1025 Delaware Street SE, and 2408 University Avenue SE to the August 13, 2012, Planning Commission meeting.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **continue** the application for a variance to reduce the parking requirement for the residential component of the development in the UA Overlay District from 356 spaces to 336 spaces for the properties located at 1016, 1024, and 1032 Washington Avenue SE, 1025 Delaware Street SE, and 2408 University Avenue SE to the August 13, 2012, Planning Commission meeting.

**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 **continue** the site plan review application for the construction of a new 6 and 11-story mixed-use development that includes 333 residential dwelling units with 790 bedrooms and approximately 30,500 square feet of ground level commercial/retail space on the properties located at 1016, 1024, and 1032 Washington Avenue SE, 1025 Delaware Street SE, and 2408 University Avenue SE to the August 13, 2012, Planning Commission meeting.

Attachments:

1. Zoning map