

**Department of Community Planning and Economic Development – Planning
Division
Site Plan Review
BZZ – 5237**

Date: September 19, 2011

Applicant: Ryan Companies US, Inc., Attn: Tony Barranco, 50 South 10th Street, Suite 300, Minneapolis, MN 55403, (612) 492-4339

Address of Property: 222 Hennepin Avenue

Project Name: 222 Hennepin

Contact Person and Phone: Ryan Companies US, Inc., Attn: Mike Ryan, 50 South 10th Street, Suite 300, Minneapolis, MN 55403, (612) 492-4339

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

Date Application Deemed Complete: August 4, 2011

End of 60-Day Decision Period: October 2, 2011

End of 120-Day Decision Period: Not applicable for this application

Ward: 7 **Neighborhood Organization:** North Loop Neighborhood Association & Downtown Minneapolis Neighborhood Association

Existing Zoning: B4S-2 and DP (Downtown Parking) Overlay District

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 19

Legal Description: Not applicable for this application

Proposed Use: Ryan Companies US, Inc., has submitted an application for Site Plan Review in order to construct a new mixed-use development that includes 287 dwelling units and an approximately 45,000 square foot grocery store on the ground floor of the structure. The project will be comprised of two interconnected, 6-story buildings with heights ranging from 35 to approximately 85 feet at the tallest point on the property located at 222 Hennepin Avenue.

Concurrent Review: Not applicable for this development.

Applicable zoning code provisions: Chapter 530, Site Plan Review.

Background: The full-block property located at 222 Hennepin Avenue is a vacant automobile dealership. The applicant has purchased the site and proposes to develop the block with a new mixed-use development. As proposed the development would include an approximately 45,000 square foot ground-level grocery store and 287 dwelling units.

As proposed the building would consist of two interconnected, 6-story buildings with heights ranging from 35 to 85 feet surrounding the existing parking ramp that is proposed to be refurbished as part of the proposal. The project would result in the redevelopment of the entire block. The single commercial tenant, a grocery store, would be located on the first floor of the project along Washington Avenue with a principal entrance at the corner of Hennepin Avenue and Washington Avenue. Outdoor seating would be provided for the grocery store along Washington Avenue and below-grade parking dedicated specifically for the grocery store would be accessed off of First Avenue North. The proposed loading areas would be fully enclosed within the project with ingress on First Avenue North and egress on 2nd Street North. The residential component of the development would have a principal entrance at the corner of Hennepin Avenue and 2nd Street North as well as a secondary entrance on 1st Avenue North. The residential aspect of the development would have units on all levels of the project including walk-up units along Hennepin Avenue and 2nd Street North. The project would also incorporate a community room overlooking Hennepin Avenue, a fourth floor roof terrace and pool deck, fitness center, media room and 3 levels of enclosed parking accessed off of 2nd Street North. Additionally, the 6 enclosed visitor spaces are accessed off of 2nd Street as well.

The site is surrounded by a mix of primarily commercial uses and parking. Gateway Park and the River Towers condominiums are located nearby to the east of the site. The ING/Reliastar complex is located directly across Hennepin Avenue from the site. A mix of surface and structured parking and low-rise buildings are located in the historic districts across 1st Avenue and 2nd Street. The Warehouse Historic District is located directly across 1st Avenue North from the site and the St. Anthony Falls Historic District is located directly across 2nd Street North.

A different applicant initially received approval in August of 2006 (BZZ-3028) for a mixed-use development with 290 dwelling units in a 375 foot tall, 33-story tower with ground level commercial uses including a grocery store. This approved development was never constructed due to changes in the market.

A second application submitted by that same applicant was submitted in January of 2008 (BZZ-3913) for a mixed-use with 247 dwelling units and approximately 83,000 square feet of ground-level commercial space, including a proposed 55,000 square foot grocery store. This project was continued for several cycles but was ultimately withdrawn by the applicant in July of 2008.

The project was originally scheduled for the August 29, 2011, City Planning Commission meeting but was continued at the applicant's request in order to address comments received at the City Planning Commission Committee of the Whole meetings.

Staff has received official correspondence from the North Loop Neighborhood Association which has been attached for reference as well as one neighborhood letter prior to the printing of this report. Any additional correspondence received will be forwarded on to the Planning Commission for further consideration.

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, windows, and active functions:
 - 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.**
- g. **In multiple tenant buildings, each individual ground level tenant space that faces a public street, public sidewalk, public pathway, or on-site parking lot shall comply with the minimum window requirements of this section.
Minimum window area shall be measured as indicated in section 530.120 of the zoning code.**

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

- **Ground floor active functions: Except for industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, the first floor or ground level of buildings shall be designed to accommodate active functions by ensuring that parking, loading, storage, or mechanical equipment rooms are limited to no more than thirty (30) percent of the linear building frontage along each wall facing a public street, public sidewalk, or public pathway.**
- **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. In addition to compliance with minimum window requirements, principal and accessory parking garages shall comply with provisions requiring active functions on the ground floor. In the downtown districts, the more restrictive parking garage provisions of Chapter 549, Downtown Districts, shall apply.**

The proposed full-block development reinforces the street wall on all sides. Windows would allow views into and out of the building at ground-level on all sides. Pedestrian access is facilitated as the grocery store would have a principal entrance at the corner of Hennepin Avenue and Washington Avenue. The residential component of the development would have a principal entrance at the corner of Hennepin Avenue and 2nd Street North as well as a secondary entrance on 1st Avenue. The use of progressive design and street-oriented building alignments is reinforced with the proposed development. The design also maximizes natural surveillance and visibility.

The majority of the building would be constructed within eight feet of the front property lines with the exception being that the corner of the structure at the intersection of 1st Avenue North and 2nd Street North is recessed as is the corner containing the principal entrance to the grocery store at Hennepin Avenue and Washington Avenue. Further the residential portion of the building along Hennepin Avenue is recessed as well. Staff recommends that the Planning Commission grant alternative compliance to allow the proposed layout. The proposal meets the intent of the ordinance because the building is constructed up to or close to the lot lines on all sides. The proposed treatment of entrances allows for improved pedestrian movement. Staff recommends that the applicant consider construction of an integrated transit shelter along Washington Avenue near Hennepin. As noted above, the building would be constructed up to the property lines in most locations. Recessed areas would primarily allow for improved pedestrian movement.

The façade of the building along all four street frontages incorporates windows at the ground level. Along Washington Avenue and Hennepin Avenue the window areas far exceed both the 20% and the 30% window requirements. Windows between 2 and 10 feet are required in order to provide natural surveillance and visibility by having active uses located along public streets. The proposal is meeting the intent of this requirement by integrating active uses at the ground level on all elevations. The analysis of the project's compliance with this requirement is as follows:

Hennepin Avenue: According to Staff calculations, the proposed Hennepin Avenue elevation where the commercial component would be included have approximately 70% window area and where the proposed residential uses would be located have approximately 43% window area.

Washington Avenue: According to Staff calculations, the proposed Washington Avenue elevation which would be entirely commercial would include approximately 70% window area.

1st Avenue North: According to Staff calculations, the proposed 1st Avenue North elevation which would be entirely commercial would include approximately 20% window area which requires alternative compliance. Planning Staff would recommend that the Planning Commission grant alternative compliance in this circumstance as over half of the elevation along 1st Avenue North is an enclosed loading area for the proposed grocery store. It would not be practical to require compliance with this provision in this specific circumstance.

2nd Street North: According to Staff calculations, the proposed 2nd Street North elevation would include approximately 13% window area. Alternative compliance would be necessary. Planning Staff would recommend that the Planning Commission grant alternative compliance in this circumstance as this elevation supports access points to the residential parking and guest parking as well as loading areas that spill over from 1st Avenue North. Additionally, there is a grade change that impacts the allowable window heights in conjunction with the floor heights of the residential units along the ground floor of the building in this location.

The proposed development far exceeds the 10% window requirement on each floor above the first floor that faces the public street and public sidewalk as well. The ground-level windows would be vertical in their orientation and would be distributed in a more or less even manner on all sides. A final merchandising plan for the proposed grocery store shall be required with the submission of final plans. No shelving stocked with merchandise shall be permitted in front of the windows.

The exterior materials and appearance of all elevations of the proposed building would be compatible. The materials on the proposed structure would be primarily brick, stone, metal siding, glass, and metal elements. Hardiboard materials while not proposed on any of the street facing elevations are the only materials located within the courtyards. The proposed building incorporates architectural elements including recesses and projections, windows and entries. There are no blank uninterrupted walls that exceed 25 feet in width. The proposed building form and the pitch of the roof line is compatible with the buildings within the area. The proposed roof line would be predominantly flat, and a six-story building would be compatible with other structures in the vicinity.

The building partially complies with the active functions provision as outlined above as both the Hennepin Avenue and Washington Avenue frontages far exceed the minimum provision. However, along 1st Avenue North and 2nd Street North, neither of the ground level elevations

meet the requirement as approximately 72% of the linear building wall along 1st Avenue North is not active and approximately 57% of the linear building wall along 2nd Street North is not active. Alternative compliance would be necessary. Planning Staff would recommend that the Planning Commission grant alternative compliance in this specific circumstance. The development would result in the redevelopment of an entire city block, with frontage on 4 public streets. It is necessary to provide access to the site, and all service functions as proposed are enclosed and screened from public view.

All proposed parking for the development would be located in enclosed parking areas and entirely below grade.

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.**

All entrances would be accessed either directly from a public sidewalk or via walkways greater than four feet in width. Public sidewalks would be relatively wide on all sides of the subject site.

Bus routes are located along both Washington and Hennepin Avenues. A bus lane located in front of the building on Hennepin Avenue currently carries bus traffic toward the downtown core. The applicant has been encouraged by Planning Staff to integrate a transit shelter into the project along Hennepin Avenue. Such transit shelter would require review by Metro Transit, the Public Works Department, CPED-Planning, and the Police Department.

The proposed development has been designed to minimize conflicts with pedestrian traffic and surrounding residential uses. All curb cuts to the site are in compliance with the maximum width of 35 feet.

There are no public alleys or residential uses adjacent to the site.

The site has been somewhat designed to minimize the use of impervious surfaces through the incorporation of some landscaping in the form of planters on a portion of the roof top terrace as well as at the ground level where some plantings occur along all street frontages. A stormwater management plan must be reviewed and approved by the Public Works Department.

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.

Buildings with 50,000 square feet or more of gross floor area located in the Downtown districts are exempt from the general landscaping and screening requirements. In addition, there are no proposed surface parking lots that would require landscaping and screening as all proposed parking is either enclosed or below-grade. The applicant has proposed planters and street trees along all four public street frontages which must be reviewed and approved as part of the Preliminary Development Review process. Additionally, the applicant is providing a fourth floor roof terrace that includes plantings. The planting and roof deck plans detail the proposed landscaping for the subject site.

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.**

No surface parking lots are proposed as all required parking for the grocery store would be provided in a below-grade ramp accessed off of First Avenue North. For the residential component of the development 3 levels of enclosed parking are provided and accessed off of 2nd Street north. Additionally, the 6 enclosed visitor spaces are accessed off of 2nd Street North as well.

Due to the proposed height of the building, some minimal blocking of views would be expected as would some shadowing of public space and adjacent properties. The proposed building would also be expected to have some minimal impacts on light, wind and air in relation to the surrounding area but would not be expected to be substantive especially in the downtown area.

Windows and entrances would allow surveillance to and from the proposed ground level commercial spaces. A final merchandising plan must be submitted for the grocery store to ensure that shelving and other equipment will not block views into and out of the building. The sidewalks will be lighted to ensure a degree of nighttime visibility.

The existing structure is not recognized as a locally or nationally designated historic property. The site is located across from two historic districts.

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 site is zoned B4S-2 and is located in the Downtown Parking (DP) Overlay District. Residential uses, regardless of the number of units, are permitted use in the B4S-2 District. Grocery stores are also a permitted use. The DP Overlay District restricts surface parking lots in the downtown area. All proposed parking would be enclosed or below grade.

Parking and Loading:

Minimum automobile parking requirement: In the Downtown Districts, Chapter 541, Off-Street Parking and Loading does not have a minimum off-street parking requirement for residential uses. However, in multiple-family dwellings of 50 or more units that provide off-street parking for residents, the development must also provide designated visitor parking at a ratio of not less than one visit or space per 50 dwellings. The applicant proposes to include 6 visitor parking spaces for the 287 units proposed which meets the visitor parking requirement. The applicant proposes to provide 347 off-street parking spaces for the residential component of the development.

As proposed the commercial component of the development, the grocery store, would be 45,000 square feet in size. There is no minimum off-street parking requirement. The applicant proposes to provide 144 off-street parking spaces for the commercial component of the development.

The combined total parking provided on site is 491 off-street parking spaces.

Maximum automobile parking requirement: The maximum automobile parking requirement for residential uses in the B4S-2 district is 1.6 spaces per dwelling unit. Therefore the maximum off-street parking requirement based on 287 units would be 459 spaces. The applicant is proposing to provide 347 off-street parking spaces for the residential component of the development.

The maximum automobile parking requirement for grocery stores is 1 space per 300 square feet of gross floor area. Based on the gross floor area of the commercial space at 45,000 square feet, the resulting maximum parking requirement would be 150 off-street parking spaces; the applicant is proposing 144 spaces.

The combined maximum parking requirement for the proposed mixed use development is 609 off-street parking spaces. The development is in compliance with this provision.

Bicycle parking requirement: Residential uses in the Downtown Districts are subject to the requirements of Table 541-3. Multiple-family dwellings with 5 or more units would have a minimum bicycle parking requirement of 1 space per 2 dwelling units. Based on the proposed 287 dwelling units, a total of 144 bicycle parking spaces would be required for the residential component of which, not less than 90% of the required bicycle parking must meet the standards for long-term bicycle parking which are as follows:

- *“Required long-term bicycle parking spaces shall be located in enclosed and secured or supervised areas providing protection from theft, vandalism and weather and shall be accessible to intended users. Required long-term bicycle parking for residential uses shall not be located within dwelling units or within deck or patio areas accessory to dwelling units. With permission of the zoning administrator, long-term bicycle parking spaces for non-residential uses may be located off-site within three hundred (300) feet of the site.”*

The applicant is in compliance with the requirement as a total of 150 bicycle parking spaces are located within the parking garage.

In the Downtown Districts, when the gross floor area is less than 500,000 square feet of new or additional gross floor area, 1 secure bicycle parking space shall be provided for every 20 automobile parking spaces provided, but in no case shall fewer than 4 or more than 30 bicycle parking spaces be required. Therefore, based on the 144 off-street parking spaces provided for the commercial component, a total of 7 spaces are required of which not less than 50 percent of the required bicycle parking shall meet the standards for short-term bicycle parking which are as follows:

- *“Required short-term bicycle parking spaces shall be located in a convenient and visible area within fifty (50) feet of a principal entrance and shall permit the locking of the bicycle frame and one (1) wheel to the rack and shall support a bicycle in a stable position without damage to the wheels, frame or components. With the permission of the city engineer, required bicycle parking may be located in the public right-of-way. Public bicycle parking spaces may contribute to compliance with required bicycle parking when located adjacent to the property in question.”*

The applicant is proposing to locate 8 bicycle parking spaces to meet the requirement.

Loading: There is a loading requirement for the residential portion of the development as multiple-family dwellings of 250 units or more require two small loading spaces or one large space. Grocery stores which are in the high rating category, at 45,000 square feet must provide 2 large loading spaces. A total of 3 large loading spaces are proposed which meets the requirement.

Signs: No signs are proposed at this time. Any signage is required to meet the requirements as outlined in Chapter 543 of the Zoning Code. A separate permit will need to be attained through the Zoning Office when signage is requested for the subject site.

Lighting: The applicant is proposing to install decorative wall mounted light fixtures on the exterior of the building. A photometric plan was not submitted as part of the application but will be required with the final submittal. All lighting will need to be downcast and shielded to avoid undue glare. All lighting shall comply with Chapters 535 and 541 and Planning Staff shall review the details of the fixtures in the final review prior to permit issuance.

Minimum Floor Area: The lot area is 110,499 square feet. The minimum FAR allowed in the B4S-2 District is 2. The proposed gross floor area of the building is 348,676; therefore, the FAR would be 3.15 which is greater than the minimum of 2.

Maximum Floor Area: The lot area is 110,499 square feet. The maximum FAR allowed in the B4S-2 District is 8. The applicant qualifies for a 20 percent floor area bonus for enclosed parking, as allowed by section 549.110 of the zoning code. With this density bonus, the applicant is allowed up to 1,060,790 square feet of gross floor area (GFA), which would be an FAR of 9.6. (The mathematical calculation is as follows: $110,499 \times 8 = 883,992$, plus a 20 percent bonus of $176,798 = 1,060,790$). The proposed FAR is 3.15 which is well within the amount of floor area that would be allowed.

Minimum Lot Area: Parcels with residential uses in the downtown districts must have at least 5,000 sq. ft. of lot area. The lot has 110,499 square feet of area.

Dwelling Units Per Acre: With 287 dwelling units on a site having 110,499 square feet of lot area, the proposal would include approximately 115 dwelling units per acre.

Height: The Downtown Districts have no maximum building height. The size of the building is limited by the maximum FAR (see analysis above). As proposed the building would consist of two interconnected, 6-story buildings with heights ranging from 35 to 85 feet surrounding the existing parking ramp that is proposed to be refurbished as part of the proposal.

Yard Requirements: The proposed full-block development has no minimum yard requirements.

Specific Development Standards: Grocery stores are subject to the following specific development standards in Chapter 536 of the zoning code

Grocery store. The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for purposes of removing any litter found thereon.

Refuse screening: Refuse storage would be located within the building.

THE MINNEAPOLIS PLAN FOR SUSTAINABLE GROWTH

According to *The Minneapolis Plan for Sustainable Growth*, the subject parcel is located within the Downtown Growth Center in an area designated as mixed-use, with frontage on Washington Avenue North which is a designated Commercial Corridor and along Hennepin Avenue which is also a designated Commercial Corridor. The site is also located just outside Warehouse District Activity Center. The proposal to construct a full-block mixed-use development on the site is consistent with the relevant provisions of *The Minneapolis Plan for Sustainable Growth*, as follows:

Land Use Policy 1.1 of *The Minneapolis Plan for Sustainable Growth* states, “Establish land use regulations to achieve the highest possible development standards, enhance the environment, protect public health, support a vital mix of land uses, and promote flexible approaches to carry out the comprehensive plan.” This policy includes the following applicable implementation step: (1.1.5) “Ensure that land use regulations continue to promote development that is compatible with nearby properties, neighborhood character, and natural features; minimizes pedestrian and vehicular conflict; promotes street life and activity; reinforces public spaces; and visually enhances development.”

Land Use Policy 1.3 of *The Minneapolis Plan for Sustainable Growth* states, “Ensure that development plans incorporate appropriate transportation access and facilities, particularly for bicycle, pedestrian, and transit.” This policy includes the following applicable implementation step: (1.3.2) “Ensure the provision of high quality transit, bicycle, and pedestrian access to and within designated land use features.”

Land Use Policy 1.4 of *The Minneapolis Plan for Sustainable Growth* states, “Develop and maintain strong and successful commercial and mixed use areas with a wide range of character and functions to serve the needs of current and future users.” This policy includes the following applicable implementation steps: (1.4.1) “Support a variety of commercial districts and corridors of varying size, intensity of development, mix of uses, and market served”; (1.4.2) “Promote standards that help make commercial districts and corridors desirable, viable, and distinctly urban, including: diversity of activity, safety for pedestrians, access to desirable goods and amenities, attractive streetscape elements, density and variety of uses to encourage walking, and architectural elements to add interest at the pedestrian level.”

Land Use Policy 1.5 of *The Minneapolis Plan for Sustainable Growth* states, “Promote growth and encourage overall city vitality by directing new commercial and mixed use development to designated corridors and districts. This policy includes the following applicable implementation step: (1.5.1) “Support an appropriate mix of uses within a district or corridor with attention to surrounding uses, community needs and preferences, and availability of public facilities.”

Land Use Policy 1.8 of *The Minneapolis Plan for Sustainable Growth* states, “Preserve the stability and diversity of the city's neighborhoods while allowing for increased density in order to attract and retain long-term residents and businesses.” This policy includes the following applicable implementation step: (1.8.1) “Promote a range of housing types and residential densities, with highest density development concentrated in and along appropriate land use features.”

Land Use Policy 1.10 of *The Minneapolis Plan for Sustainable Growth* states, “Support development along Commercial Corridors that enhances the street’s character, fosters pedestrian movement, expands the range of goods and services available, and improves the ability to accommodate automobile traffic. This policy includes the following applicable implementation step: (1.10.1) “Support a mix of uses – such as retail sales, office, institutional, high-density residential and clean low impact light industrial – where compatible with the existing and desired character;” (1.10.4) “Encourage a height of at least two stories for new buildings along Commercial Corridors, in keeping with neighborhood character.”

Land Use Policy 1.15 1 of *The Minneapolis Plan for Sustainable Growth* states, “Support development of Growth Centers as locations for concentration of jobs and housing, and supporting services. This policy includes the following applicable implementation step: (1.15.3) “Encourage the development of high- to very high-density housing within Growth Centers.”

Housing Policy 3.1 of *The Minneapolis Plan for Sustainable Growth* states, “Grow by increasing the supply of housing.” This policy includes the following applicable implementation step: (3.1.1) “Support the development of new medium- and high-density housing in appropriate locations throughout the city.”

Housing Policy 3.2 of *The Minneapolis Plan for Sustainable Growth* states, “Support housing density in locations that are well connected by transit, and are close to commercial, cultural and natural amenities.” This policy includes the following applicable implementation step: (3.2.1) “Encourage and support housing development along commercial and community corridors, and in and near growth centers, activity centers, retail centers, transit station areas, and neighborhood commercial nodes.”

Housing Policy 3.6 of *The Minneapolis Plan for Sustainable Growth* states, “Foster complete communities by preserving and increasing high quality housing opportunities suitable for all ages and household types.”

The proposal is in conformance with the above noted policies and implementation steps of the Comprehensive Plan.

Conformance with Applicable Development Plans or Objectives Adopted by the City Council

Note that the site is across the street from the area covered by the Downtown East/North Loop Master Plan; however, the site is referenced in the North Loop Small Area Plan which was adopted by the City Council in April of 2010. The North Loop Small Area Plan, is considered a supplement to the Downtown East/North Loop Master Plan which was adopted by the City Council in 2003 and builds upon the policy direction of *The Minneapolis Plan for Sustainable Growth*, the City’s Comprehensive Plan. The purpose of the North Loop Small Area Plan is to encapsulate the remainder of the North Loop neighborhood that has not been the beneficiary of small area planning in the past. The land use proposed on the property is consistent with the mixed-use category however, the intensity level is recommended to be the highest which is not necessarily supported by the proposal.

ALTERNATIVE COMPLIANCE

The Planning Commission 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.**

Alternative compliance is requested by the applicant to meet the following standards:

Building placement: The majority of the building would be constructed within eight feet of the front property lines with the exception being that the corner of the structure at the intersection of 1st Avenue North and 2nd Street North is recessed as is the corner containing the principal entrance to the grocery store at Hennepin Avenue and Washington Avenue. Further the residential portion of the building along Hennepin Avenue is recessed as well. Staff recommends that the Planning Commission grant alternative compliance to allow the proposed layout. The proposal meets the intent of the ordinance because the building is constructed up to or close to the lot lines on all sides. The proposed treatment of entrances allows for improved pedestrian movement. Staff recommends that the applicant consider construction of an integrated transit shelter along Washington Avenue near Hennepin. As noted above, the building would be constructed up to the property lines in most locations. Recessed areas would primarily allow for improved pedestrian movement.

Window Areas -1st Avenue North: According to Staff calculations, the proposed 1st Avenue North elevation which would be entirely commercial would include approximately 20% window area which requires alternative compliance. Planning Staff would recommend that the Planning Commission grant alternative compliance in this circumstance as over half of the elevation along 1st Avenue North is an enclosed loading area for the proposed grocery store. It would not be practical to require compliance with this provision in this specific circumstance.

Window Areas -2nd Street North: According to Staff calculations, the proposed 2nd Street North elevation would include approximately 13% window area. Alternative compliance would be necessary. Planning Staff would recommend that the Planning Commission grant alternative compliance in this circumstance as this elevation supports access points to the residential parking and guest parking as well as loading areas that spill over from 1st Avenue North. Additionally, there is a grade change that impacts the allowable window heights in conjunction with the floor heights of the residential units along the ground floor of the building in this location.

Active Functions Provision – 1st Avenue North & Second Street North: The building partially complies with the active functions provision as outlined above as both the Hennepin Avenue and Washington Avenue frontages far exceed the minimum provision. However, along 1st Avenue North and 2nd Street North, neither of the ground level elevations meet the requirement as approximately 72% of the linear building wall along 1st Avenue North is not active and approximately 57% of the linear building wall along 2nd Street North is not active. Alternative compliance would be necessary. Planning Staff would recommend that the Planning Commission grant alternative compliance in this specific circumstance. The development would result in the redevelopment of an entire city block, with frontage on 4 public streets. It is necessary to provide access to the site, and all service functions as proposed are enclosed and screened from public view.

RECOMMENDATION

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 application for site plan review to allow a new mixed-use building located at 222 Hennepin Avenue, subject to the following conditions:

1. Planning Staff review and approval of the final site, elevation, lighting and landscaping plans.
2. All site improvements shall be completed by September 19, 2012, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
3. A final merchandising plan for the proposed grocery store shall be submitted with final plans. No shelving stocked with merchandise shall cover required window areas.
4. The applicant shall submit a lighting plan showing foot candle measurements before final plans are approved.
5. The revised Travel Demand Management Plan must be approved by the Planning Director prior to submission of plans for final approval and building permit issuance.
6. The scope of the project shall not be increased in a manner that would exceed the minimum threshold for a state mandated environmental assessment worksheet (EAW) unless the applicant submits and the City approves an EAW.
7. All required ground level windows must be transparent (non-reflective) as required by Section 530.120 of the Zoning Code.
8. 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.

Attachments:

1. Statement of use and description of the project
2. Correspondence
4. Zoning map
5. Plans, site, landscape, floor, elevations, civils
6. Shadow Studies, renderings & photos
7. PDR notes