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## MEMORANDUM

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*To:* City Planning Commission, Committee of the Whole

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*Subject:* Proposed Zoning Code Text Amendment: standards for floor area ratio and height increases, and tall building standards.

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### **Built Form Regulations and Process**

CPED staff is analyzing zoning code changes that would implement the built form policies of Minneapolis 2040, the City's new comprehensive plan that took effect on January 1, 2020. As the City approaches major revisions to its zoning regulations, implementation of built form guidance has been prioritized as a key step that will align our zoning regulations with Minneapolis 2040 while meeting a number of key goals spelled out in the comprehensive plan. Built form policies are a critical part of the City's plan to diversify the city's housing options, accommodate additional residents and jobs, and combat climate change.

This is the third discussion about proposed built form regulations. Staff intends to continue collecting feedback throughout the summer and early fall from the commission, other city staff and departments, developers and design professionals, and from the public. This feedback will be analyzed and final recommendations will be presented to the Planning Commission at the beginning of the proposed 45-day public review period. This week's memo addresses how the City will consider requests to increase allowed floor area ratio (FAR) and building height. In addition, staff has developed proposed standards that would be applicable to tall buildings.

### **FAR Bonuses**

CPED staff and the City Planning Commission discussed draft FAR regulations, including a framework for allowing bonuses, on July 23<sup>rd</sup>. Staff now has additional information about proposed bonuses, including the types of bonuses being considered and the development standards that could be included with those bonuses.

Floor area bonuses allow developments to increase the typically-allowed floor area in exchange for providing features that exceed minimum ordinance requirements and that go even further toward achieving certain policy goals. The additional floor area allowed through a bonus is intended to act as an incentive to incorporating those additional features while at least partly offsetting the additional cost of providing those features.

Generally, bonuses should be largely non-discretionary and provide clear, quantifiable standards that minimize inconsistent interpretation. If the clear, objective standards are met, the bonus (or bonuses) are awarded.

CPED is proposing to offer a wider range of bonuses, but the cumulative increase allowed through bonuses in most districts would be capped to ensure that increases remain consistent with the intent of each built form district.

The following bonuses and standards are currently being considered. Note that some proposed bonuses do not currently have thoroughly developed standards. Questions related to each bonus need to be addressed to help determine the viability of the draft bonus.

<b>Enclosed parking (Existing bonus with revised standards)</b>
<p><b>Standards</b></p> <ul style="list-style-type: none"> <li>• All off-street parking on the zoning lot shall be located within the building, entirely below grade, or in a parking garage of at least two (2) levels.</li> <li>• Except in the Interior 3 district, all drive aisles that facilitate maneuvering into and out of parking spaces shall be located within the structure.</li> <li>• In the Transit 30 and Core 50 districts, the bonus shall be awarded only when all parking in the development is located below ground, in a level that does not qualify as story.</li> </ul>
<p><b>Intent</b></p> <ul style="list-style-type: none"> <li>• Recognize the public benefits of structured vs. surface parking, including less land devoted to parking, less noise, and less visually intrusive. Surface parking has more negative externalities than most other aspects of a development.</li> <li>• Continue (but improve upon) the existing bonus.</li> <li>• Recognize that structured parking is very expensive.</li> </ul>
<p><b>Notes/questions</b></p> <ul style="list-style-type: none"> <li>• As a disincentive to provide surface parking, this bonus would require that <u>all</u> parking on the site is enclosed. Current standard is that only required parking must be enclosed in order to achieve the bonus.</li> <li>• Should a standard be developed that avoids awarding a bonus for a very small number of parking spaces? This type of standard may exclude developments on smaller lots from qualifying for the bonus.</li> <li>• Except for small-scale housing in Interior 3, the bonus should only be awarded when a significant investment is being made in the parking—i.e., more than just several spaces.</li> <li>• PUD would continue to offer an incentive for providing all parking underground.</li> <li>• Clarify that the bonus is not awarded for garage stalls where the maneuvering takes place in outdoor drive aisles. However, providing a detached garage or similar structure in Interior 3 is probably more appropriate, and buildings in Interior 3 are often going to be smaller-scale structures where having drive aisles within the principal building is less feasible.</li> </ul>
<p><b>Minneapolis 2040</b></p> <ul style="list-style-type: none"> <li>• Goal: “High-quality physical environment: In 2040, Minneapolis will enjoy a high-quality and distinctive physical environment in all parts of the city.”</li> <li>• Policy 6, Action Step p: “Discourage the establishment of and minimize the size of surface parking lots. Mitigate the negative effect of parking lots through screening, landscaping, minimizing curb cuts, sufficient number of down-cast, glare-free light fixture, and other measures.”</li> </ul>

<b>Affordable housing (Existing bonus with revised standards)</b>
<p><b>Standards</b></p> <ul style="list-style-type: none"> <li>The development must comply with the City’s inclusionary zoning requirements by providing affordable units on-site rather than utilizing one of the compliance alternatives.</li> </ul>
<p><b>Intent</b></p> <ul style="list-style-type: none"> <li>During the IZ ordinance process, policymakers expressed a strong preference for on-site compliance in order to provide mixed-income communities. This bonus would provide a bonus for choosing on-site units rather than utilizing an alternative such as the in-lieu fee.</li> </ul>
<p><b>Notes/questions</b></p> <ul style="list-style-type: none"> <li>CPED will explore whether additional affordable housing incentives would be feasible and reasonable to administer. The City’s affordable housing density bonus has not been effective. A great deal of feasibility analysis accompanied the development of the current Inclusionary Zoning ordinance.</li> </ul>
<p><b>Minneapolis 2040</b></p> <ul style="list-style-type: none"> <li>Goal: “Eliminate disparities: In 2040, Minneapolis will see all communities fully thrive regardless of race, ethnicity, gender, country of origin, religion, or zip code having eliminated deep-rooted disparities in wealth, opportunity, housing, safety, and health.”</li> <li>Policy 33, Action Step h: “Provide density bonuses and other incentives for the construction of affordable housing.”</li> </ul>

<b>Mixed use—commercial and residential buildings (Existing bonus with revised standards)</b>
<p><b>Standards</b></p> <ul style="list-style-type: none"> <li>The commercial space within the development must comply with <u>at least two of the of the following three standards</u>: <ul style="list-style-type: none"> <li>60 percent of the building’s street frontage and a minimum interior depth of 20 feet,</li> <li>20 percent of the floor area of the building footprint or 1,000 square feet, whichever is greater,</li> <li>5 percent of the gross floor area of the building or 1,000 square feet, whichever is greater.</li> </ul> </li> <li>For properties located in the Destination Mixed Use land use category in the comprehensive plan, the qualifying commercial space(s) shall be occupied by retail sales and services or food and beverages uses.</li> </ul>
<p><b>Intent</b></p> <ul style="list-style-type: none"> <li>Consistent with Minneapolis 2040, this incentive encourages commercial goods and services in mixed use buildings, which support a more walkable city and reduced vehicle-miles traveled.</li> <li>Includes more detailed guidance compared to the current mixed use bonus.</li> </ul>
<p><b>Notes/questions</b></p> <ul style="list-style-type: none"> <li>Should the residential space still be required to be “above” the commercial space, or just on the same lot?</li> <li>This incentive will be in place before we have base zoning districts with mandated ground-floor commercial space. At this time, Nicollet Mall is the only location where ground-floor retail sales and services uses are mandated.</li> <li>Consider how this will interact with proposed grocery store and childcare center bonuses.</li> </ul>
<p><b>Minneapolis 2040</b></p>

- Goal: “Complete neighborhoods: In 2040, all Minneapolis residents will have access to employment, retail services, healthy food, parks, and other daily needs via walking, biking, and public transit.”
- Policy 4, Action Step b: “Allow a full range of uses in Commercial areas intended to provide goods and services to surrounding communities.”

<b>Construction type</b>
<p><b>Standards</b></p> <ul style="list-style-type: none"> <li>• Not less than 60% of the floor area of the development on the zoning lot is within a structure or structures classified by the building code as one the following construction types: Type IA, Type IB, Type IIA, or Type IV.</li> </ul>
<p><b>Intent</b></p> <ul style="list-style-type: none"> <li>• This incentive is intended to encourage high-quality construction and longer-lasting buildings, rewarding high-quality construction with a structural frame of concrete, steel, or heavy timber.</li> </ul>
<p><b>Notes/questions</b></p> <ul style="list-style-type: none"> <li>• Received feedback and guidance from Construction Code Services staff.</li> <li>• Some mid-rise or high-rise buildings include wood-frame buildings on the same lot. In order to meet this incentive, durable construction would be required for a certain percentage of the overall development rather than 100%.</li> <li>• For projects seeking a height increase, this bonus may reduce the number of instances where FAR variances are needed. In the past, large height CUPs—typically for concrete buildings—necessitated the need for large FAR variances.</li> </ul>
<p><b>Minneapolis 2040:</b></p> <ul style="list-style-type: none"> <li>• Goal: “High-quality physical environment: In 2040, Minneapolis will enjoy a high-quality and distinctive physical environment in all parts of the city.”</li> <li>• Policy 68, Action Step e: “Identify and implement ways to encourage, incentivize, or require sustainable design practices and principles for privately-funded projects.”</li> </ul>

<b>Environmental sustainability</b>
<p><b>Standards</b></p> <ul style="list-style-type: none"> <li>• To be determined.</li> </ul>
<p><b>Intent</b></p> <ul style="list-style-type: none"> <li>• This incentive would encourage environmental sustainability, a major goal of Mpls 2040, and recognizes that the City generally cannot mandate a higher level of building performance than is required by the building code.</li> </ul>
<p><b>Notes/questions</b></p> <ul style="list-style-type: none"> <li>• CPED staff is currently working with the City’s Sustainability staff to determine appropriate standards.</li> </ul>
<p><b>Minneapolis 2040:</b></p> <ul style="list-style-type: none"> <li>• Goal: “Climate change resilience: In 2040, Minneapolis will be resilient to the effects of climate change and diminishing natural resources, and will be on track to achieve an 80% reduction in greenhouse gas emissions by 2050.”</li> <li>• Policy 68, Action Step g: “Encourage use of environmentally responsible building materials and construction practices.”</li> </ul>

<b>Enhanced public realm and ecological function</b>
<p><b>Standards</b></p> <ul style="list-style-type: none"> <li>To be determined</li> </ul>
<p><b>Intent</b></p> <ul style="list-style-type: none"> <li>Enhanced greening with ecological benefits. Also, from Mpls 2040: “A well-integrated private and public realm can encourage street-level activity that supports public safety, facilitates foot traffic to support local retail businesses, and forms comfortable and appealing places that naturally become destinations for both Minneapolis residents and visitors from the region and beyond.”</li> <li>See Seattle’s example, where this is a requirement in certain districts. It’s quantified through a worksheet so that discretion is largely removed: <a href="https://www.seattle.gov/Documents/Departments/SPU/LeClergueGreenFactor.pdf">https://www.seattle.gov/Documents/Departments/SPU/LeClergueGreenFactor.pdf</a></li> <li>Also see Washington, DC, “Green Area Ratio” <a href="https://doee.dc.gov/service/green-area-ratio-overview">https://doee.dc.gov/service/green-area-ratio-overview</a></li> <li>Perhaps this potential bonus becomes less relevant if there is a sustainability bonus. However, this incentive that relates more to stormwater management.</li> </ul>
<p><b>Notes/questions</b></p> <ul style="list-style-type: none"> <li>Could this standard be reasonably quantified? An initial draft separated “enhanced public realm” and “enhanced ecological function” into two bonuses. Is it appropriate to combine them?</li> </ul>
<p><b>Minneapolis 2040:</b></p> <ul style="list-style-type: none"> <li>Goal: “High-quality physical environment: In 2040, Minneapolis will enjoy a high-quality and distinctive physical environment in all parts of the city.”</li> <li>Goal: “Clean environment: In 2040, Minneapolis will have healthy air, clean water, and a vibrant ecosystem.”</li> <li>Policy 7, Action Step c: “Require developers to implement public realm improvements called for in the citywide framework in conjunction with approvals for building construction and site modification.”</li> <li>Policy 74, Action Step e: “Use stormwater regulations to require construction projects to carry out best management practices that effectively improve the character and health of water resources and reduce impairments.”</li> </ul>

<b>Grocery store</b>
<p><b>Standards</b></p> <ul style="list-style-type: none"> <li>The development includes a grocery store that meets the following standards: <ul style="list-style-type: none"> <li>Not less than twelve thousand (12,000) square feet.</li> <li>Must include fresh produce in compliance with the staple food requirements of Chapter 203 of the code of ordinances.</li> </ul> </li> </ul>
<p><b>Intent</b></p> <ul style="list-style-type: none"> <li>Policies 63 and 64 in Mpls 2040 call for improving access to food.</li> <li>Grocery stores are a use, perhaps more than any other, that has the potential to enhance the walkability of a neighborhood. Everyone needs groceries. There are huge transportation/greenhouse gas benefits to having more people walk to get their groceries.</li> </ul>
<p><b>Notes/questions</b></p> <ul style="list-style-type: none"> <li>Is 12,000 sq. ft. the appropriate size?</li> <li>Determine how to integrate with the mixed use bonus.</li> </ul>
<p><b>Minneapolis 2040:</b></p>

- Goal: “Complete neighborhoods: In 2040, all Minneapolis residents will have access to employment, retail services, healthy food, parks, and other daily needs via walking, biking, and public transit.”
- Policy 63, Action Step c: “Take proactive steps to attract new grocery stores to locations in low-income communities, including providing financial and technical support for grocery store expansion, remodeling or equipment upgrades.”

<b>Child care center</b>
<p><b>Standards</b></p> <ul style="list-style-type: none"> <li>• The development includes a child care center that meets the following standards: <ul style="list-style-type: none"> <li>- Not less than 2,000 square feet of enclosed space</li> <li>- The development shall include on-site, outdoor space with at least one thousand five hundred (1,500) square feet total and at least 75 square feet per child.</li> <li>- The use shall comply with the specific development standards for child care centers in Chapter 536, Specific Development standards.</li> </ul> </li> </ul>
<p><b>Intent</b></p> <ul style="list-style-type: none"> <li>• Mpls 2040 Policy 49, action step g: “Increase the number of affordable high-quality child care services.” And Policy 51, action step g: “Increase the number of high-quality child care slots in Minneapolis.”</li> </ul>
<p><b>Notes/questions</b></p> <ul style="list-style-type: none"> <li>• Is 2,000 sq. ft. the appropriate minimum size.</li> <li>• Outdoor standards are from the state of MN but would be required to be on-site. State allows childcare centers to provide on-site or have access nearby.</li> <li>• Should a development be allowed to obtain bonuses for both mixed use and a grocery store?</li> </ul>
<p><b>Minneapolis 2040:</b></p> <ul style="list-style-type: none"> <li>• Goal: “Complete neighborhoods: In 2040, all Minneapolis residents will have access to employment, retail services, healthy food, parks, and other daily needs via walking, biking, and public transit.”</li> <li>• Policy 49, Action Step g; Policy 51, Action Step g: “Increase the number of affordable high-quality child care services.”</li> </ul>

**“Downtown” premiums**

Currently, in addition to “regular” bonuses, the downtown zoning districts authorize premiums that offer a wider range of opportunities to substantially increase allowed floor area. The city’s largest buildings are expected and encouraged in these districts, with tall towers that exceed one million square feet in size. Thus, unlike other built form districts, staff recommends no limit on the cumulative bonus value that may be achieved in these districts. Note that most downtown districts do not include height limits and building bulk is regulated by FAR. The B4N District, on the other hand, has a 10-story height limit but no maximum FAR.

Within the framework of built form overlay districts, staff recommends that the ordinance limit premiums to the Transit 30 and Core 50 districts. This would result in premiums expanding to a limited number of areas outside of the downtown areas. Transit 30 “is typically applied along high frequency transit routes, adjacent to METRO stations, in neighborhoods near downtown, and adjacent to the downtown office core.” As spelled out in Minneapolis 2040, the Core 50 district will not have a maximum height while the Transit 30 district will have a 30-story limit, subject to allowable increases . Tall buildings will also be

subject to site plan review standards specific to tall building design that would affect the form and massing of the building.

The current recommendation is that all of the bonuses noted above would be allowed in the Transit 30 and Core 50 Districts, in addition to the following premiums:

- Freight loading terminal
- Sidewalk widening
- Historic preservation
- Public art
- Skyway connection
- Through-block connection
- Transit facility
- Urban open space, indoor
- Urban open space, outdoor

Specific draft standards have not yet been developed for these bonuses/premiums. Existing premiums are subject to much more extensive requirements compared to the existing bonuses applicable outside of downtown districts. As noted in the memo presented at the July 23<sup>rd</sup> CPC Committee of the Whole meeting, the draft recommended FAR for the Core 50 would be 16 and Transit 30 would be 8.

## **Height Increase Benefits/Premiums Required in the Corridor, Transit, Park and Production Built Form Districts**

The recommended method for processing height increase requests was previously discussed at the July 23, 2020, CPC Committee of the Whole meeting. Minneapolis 2040 includes specific guidance related to allowed height in each built form district. In the Corridor, Transit, Park and Production built form district descriptions, the comprehensive plan contains the following language: "Requests to exceed [X] stories will be evaluated on the basis of whether or not a taller building is a reasonable means for further achieving Comprehensive Plan goals." Therefore, the purpose of the height increase premiums is to further the goals of the comprehensive plan in these districts. There were 14 goals that guided the development of the comprehensive plan, including affordable and accessible housing, complete neighborhoods, climate resiliency, and eliminate disparities.

In addition to an evaluation of specific findings, one or more premiums will be required as part of a height increase request (the larger the increase request, the more benefits will be required) and will need to be provided for a height increase to even be considered. Each premium will benefit the public and will be relatively non-discretionary for more equitable decision-making geographically. Per the direction of the City Council Steering Committee, the benefits need to be above-and-beyond what we'd typically see in developments and height increases should be more difficult to obtain now that as-of-right height maximums will increase in many areas of the City. The committee also expressed a desire for the benefits to be tangible to the community.

As previously noted, the premiums would be largely nondiscretionary. However, CPED staff is considering including an exceptions clause for comparable or better alternatives. Essentially, exceptions to the premium standards could be approved if the alternative meets the intent of a standard(s) and includes an exceptional design or style that will enhance the area or that is more consistent with the design of the site. This exception is not intended to allow entirely different premiums proposed by the applicant. One other exception would be for projects within these districts that already exceed the applicable height limits. For these occasional situations where an addition is too small to trigger site plan review or a small-scale addition is proposed on an upper floor of a building that already exceeds the allowed height limits, CPED staff is recommending that the proposal would require an administrative height increase application, but the required benefits could be more proportional to the size of the addition. This modified process would only apply to projects adding up to 2,500 square feet in area and only one time in any 5-year period.

The draft premiums are currently very generally described. As they are developed further, more details will be provided, including minimum standards that need to be met. The final draft will include clearly defined minimum thresholds for what needs to be done to further achieve comprehensive plan goals.

Some of the height premiums are intended to build off the FAR bonuses and not be entirely different. CPED staff is considering allowing some premiums to be weighted more in higher density districts, while some might not be eligible in lower density districts due to limitations that would not allow them to be achieved, such as maximum lot size. Staff is also trying to include a broad enough range of premiums to ensure there are viable options for all types of development, including residential, commercial, institutional, and production uses.

The premiums would come from four general categories related to the following topics and would tie to one or more goals. Some premiums could have elements that come from more than one category.

- Sustainability (Buildings, Site, and Transportation)
- Enhanced Public Realm (Connections, Buildings, Streets/Open Spaces)
- Housing (Affordability, Diversity of Housing Types)
- Services/Uses/Other (Needed Uses, Retention Strategies)

Below are the draft height increase premiums:

Affordable housing: This premium would build from the FAR bonus. CPED staff is exploring options for this premium that could result in more affordable units and diversity of housing types while evaluating feasibility and potential challenges with administration.

Environmental sustainability: This premium also builds from the FAR bonus. In general, the premium would increase energy efficiency of new and existing buildings. Creating healthy housing and more energy efficient units can reduce housing costs and thereby make housing more affordable. Use of sustainable design practices, environmentally responsible building materials, and construction practices are being explored. As noted in the FAR bonus description, we may draw from the work on sustainability standards for City-financed development. How on-site renewable energy sources can be incorporated are also being explored.

Enhanced public realm and ecological function: This premium also builds from the FAR bonus. Use of green infrastructure to enhance the attractiveness of the public realm and positively impact storm water management would be required. Other components that would relate to ecological function could include landscaping, such as pollinator friendly plants, implementing best practices for soils and slopes, retaining mature, healthy trees, and measures that reduce impervious surfaces. Pedestrian improvements, such as widening sidewalks to ensure adequate space for pedestrian movement and street trees, would also be essential. Standards that apply to the building façade(s) facing the public realm, such as using the highest quality exterior building materials, could also be required. This premium could also include bigger things like burying utilities.

Mixed use building: CPED staff is exploring how to build from the FAR bonus to create a height increase premium. Multiple storefront bays (groupings of smaller tenant spaces versus one large space) are part of the consideration. Staff is considering allowing more of a height increase for mixed use buildings with a grocery store or childcare facility.

Historic preservation: Rehabilitate or restoration of an historic landmark or contributing structure in an historic district as part of the development.

Enhanced connections: This premium would require enhanced connections in meaningful locations where increased access (including but not limited to pedestrian and bicycle) is needed (e.g. through-block connections on large sites, reestablishing the street grid, and connections to public amenities and transit). First-last mile infrastructure would be required. Other enhancements, such as wayfinding, landscaping and lighting, would also be required.

Public open spaces: Public open spaces (plazas, pocket parks, community gardens, etc.) that recognize and build on assets of the community with interactive elements (public art, educational components, etc.) and incorporate ecological functions.

## **Legal Findings for Height Increases in the Corridor, Transit, Parks and Production Built Form District**

In addition to providing required premiums, legal findings will be required to be addressed for all height increase requests in the Corridor, Transit, Park and Production built form districts. While the premiums that will be required for height increases will be largely non-discretionary, the findings used to evaluate the height increase proposal will involve some discretion. The findings will be updated to not only address the discretionary aspect but to also ensure that they are specifically tailored to address height increases. With the updates to the height requirements, what to evaluate with requests to increase height is being considered. Ultimately, the updated findings should allow for a higher quality building and development than could be achieved without the additional height. Draft findings are included below with a description of the intent. Some findings may be more relevant to more substantial increases or larger buildings.

### **Finding #1: The building reflects the human scale in massing articulation and architectural details particularly facing the public realm<sup>1</sup> in the lower floors of the building.**

Generally, compliance with site plan review building design requirements or an alternative that meets the intent would be the minimum standard. However, buildings that require a height increase should exceed the minimum standards as additional human scale elements can further reduce the feeling of perceived massing. Human-scale elements also serve to activate the public realm (e.g. faux windows would not be appropriate) and create a sense of place and identity. To be proportionate to pedestrian dimensions, those elements could be a combination of architectural details that range in size assembled on a building wall. The smallest elements can be a mere fraction of an inch. The ground level of the building should have the greatest amount of details adjacent to the public realm. Massing articulation involves breaking up the mass of the building. The largest buildings should have the most substantial changes in massing. For sites that take up most of a block frontage, the building elevations should contain distinct modules (assuming multiple buildings can't always be required). Façades facing the public realm should be divided into narrower bays. Long walls without articulation and recesses would not be appropriate. To help convey the intent of this finding, a definition for human scale will be developed.

### **Finding #2: The relationship of the scale, mass, rhythm, and setbacks of the building to the public realm creates a sense of enclosure, allows sunlight to reach the street and sky exposure<sup>2</sup>, and is oriented to prevent canyon and tunnel effects.**

This finding would be most relevant to buildings over 6 stories tall with longer building facades and therefore height increases requested in the Corridor 6 and Transit 10 built form districts, where the site plan review standards for tall buildings would not apply. For these larger buildings, both vertical and horizontal relationships should be considered. Long walls without articulation and recesses would not be appropriate. As indicated, the site plan review standards for tall buildings should largely address this finding for those buildings that meet the definition of a tall building. For other large buildings that do not meet the definition of a tall building, the site plan review standards for tall buildings provide guidance as summarized below:

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<sup>1</sup> In Minneapolis 2040, public realm is defined as "Open spaces (public and semi-public) such as streets, sidewalks, bike paths, parks, and plazas where building interface with public/semi-public open space." Although parking lots could be considered part of the public realm, the intent was not to include them in the findings or tall building standards.

<sup>2</sup> Sky exposure is the ability to see the sky standing on the opposite side of the street and is most applicable to tall buildings.

- The building defines and reinforces the street wall at the base of the building and creates a sense of enclosure. The width of the public realm should be considered in evaluating appropriate height for the base of the building to achieve perceived comfort. For example, a tall base should not be located next to a narrow sidewalk. Building placement that allows for the desired pedestrian amenity zones (4 zones total in Access Minneapolis) appropriate to the street type in a given location can allow for a taller base and less of a need to recess upper floors.
- The upper floors don't overwhelm the public realm. Significant recesses are used to break up large massing. The width of the public realm should be considered in evaluating appropriate height for the base of the building and stepping back the upper floors. Massing allows sunlight to reach the street and is oriented to prevent canyon and tunnel effects (i.e. no or very little relief in massing).
- Top creates a "ceiling" for the public realm and an appropriate conclusion to the building. Where upper floors are recessed significantly, the ceiling may be more appropriate at the top of the base of the building. Visibility of mechanical penthouses and elevator shafts is minimized.

**Finding #3: The building responds to a change in built form on adjacent properties in less intense built form districts with a gradual transition in height, scale and level of activity.**

In some cases, existing context should be considered. How much it should be considered depends on the built form guidance, the development potential of an area, and the type of adjacent use (residential, commercial, institutional, park or production). The policies of Minneapolis 2040 specifically do not expect as-of-right developments to be "sculpted" in a way that responds to adjacent districts. For example, a six-story building in Corridor 6 will not be expected to provide a three-story transition adjacent to Corridor 3. However, the intent of this consideration is that a 10-story building in Corridor 6 may be expected to provide a gradual transition to a lower-density district adjacent to the property. Staff is considering including illustrations of transitions that would meet this finding.

**Finding #4: The building complements and positively contributes to the setting of and creates a compatible visual relationship with a directly adjacent landmark building. The new building is differentiated from the old, but considers the historic materials, features, size, scale and proportion, and massing of the landmark to help protect the integrity of the property and its environment.**

For properties being developed outside of historic districts, the Secretary of the Interiors Standards would generally be referenced for guidance to ensure appropriate compatibility. This finding would be most relevant for the side of the building adjacent to the landmark and elevations in the same plane as the landmark (i.e. the whole building would not need to be evaluated).

**Finding #5: The building placement considers important views of nearby landmark buildings, significant open spaces or water bodies from publicly accessible places.**

This finding would only consider public views, but not views from every public vantage point. Since we don't have designated views outside of historic districts, the importance of the view(s) being considered will need to be evaluated.

**Finding #6: The building form and massing is distributed and oriented in a manner appropriate to the scale and proportion of the built surroundings to reasonably lessen the impact of microclimate effects (wind, snow accumulation, and shadowing) on adjacent properties, the public realm, and existing solar energy systems and to allow access to light and air adjacent properties.**

Microclimate effects related to wind and snow accumulation are most relevant to buildings more than 6 stories in height. The tall building standards should largely address this finding for wind and snow accumulation; however, a height increase could warrant further evaluation. If site plan review standards are not met, staff is exploring whether a wind study should be required. If a wind study is required, thresholds for tolerable conditions will need to be determined.

For other buildings that do not meet the definition of a tall building, some of the site plan review standards for tall buildings can provide guidance to lessen the effects of wind. Avoid bulky, dominant massing and long building walls. Incorporate sufficient step backs (especially above the 6<sup>th</sup> floor), recesses, and changes in plane in the building massing. Provide separation from other tall buildings to facilitate movement of air between buildings (tall buildings that are too close together will increase wind speeds) and to allow sunlight to reach the street and neighboring properties. Surrounding use of land can also be considered when evaluating the building form. For example, ground level open areas and landscaped areas could impact where more massing articulation is required as trees reduce wind speeds and wide-open plazas do not.

A shadow study would still be required for any height increase request. However, the intent of this analysis is not that shadowing of nearby properties or open spaces is completely avoided. As with most of the considerations in this document, this is intended to be a question of “reasonableness.” The purpose of the finding is to prompt us to think about whether it’s practical for the developer and architect to make different design decisions to reduce what seems to be an unreasonable amount of shadowing. A taller, more slender building that is well designed can lessen the impacts of shadowing more than a shorter and wider building with the same amount of building bulk.

In evaluating access to light and air, compliance with applicable yard requirements would be the minimum standard. However, additional discretion can be applied with this finding.

**Finding #7: The building facades are oriented to enable solar access to allow energy efficient lighting, passive solar gain, and energy generation opportunities where possible.**

This finding is intended to consider how natural light can reach a) the middle of the building for uses with open floor plans or b) most rooms in each residential unit and all amenity common areas. Building facades should be oriented towards the sun for potential “daylighting” benefits to reduce the need for artificial lighting; for passive solar gain to reduce the need for space heating; and for energy generation opportunities such as photovoltaic or active solar panels.

**Applicable Policies:**

**Policy 5 Visual Quality of New Development:** Ensure a high-quality and distinctive physical environment in all parts of the city through building and site design requirements for both large and small projects.

b. Require multiple buildings on development sites outside of the downtown core that encompass most of an entire block or block frontage to increase visual interest. On sites in the downtown core buildings that encompass an entire city block are encouraged to use massing that is responsive to the human-scale and provides pedestrian through-block connections through existing super blocks or to re-establish the street grid.

f. Consider design approaches that encourage creative solutions for transitions between varying intensities of building types and land uses.

l. Require the podiums of tall buildings to reflect the human scale, with design elements and active uses on the ground level.

m. Develop design guidance specific to encouraging high quality tall building construction.

s. Balance visual quality of new development, including articulation of buildings, with energy efficiency of new buildings.

**Policy 6 Pedestrian-Oriented Building and Site Design:** Regulate land uses, building design, and site design of new development consistent with a transportation system that prioritizes walking first, followed by bicycling and transit use, and lastly motor vehicle use.

g. Encourage building placement that where possible enables solar access and allows light and air into the site and surrounding properties and supports energy efficient lighting.

h. Encourage building placement and massing design that considers the impact of shadowing, particularly on public spaces, recognizing that extreme seasons make shaded areas alternately desirable at different times of year.

## Tall Building Standards

CPED staff is recommending tall building standards that will be incorporated into Chapter 530 of the zoning code. The general idea for each new standard is described below. These are in addition to the new site plan review standards related to built form that would apply to low, mid and high-rise buildings that were discussed at the August 6, 2020, CPC Committee of the Whole meeting. By incorporating these standards into site plan review, reasonable alternatives that still meet the intent of the standard can be considered without needing to meet the findings for a variance, which is typically more difficult to obtain.

Staff is considering a building with 15 to 20 stories or more to be a tall building and would therefore be subject to the following standards. A tall building definition will be included in the ordinance that includes a specific minimum height in stories. The draft standards apply to the different parts of the building: the base (podium), the middle (tower) and the top. The details of the draft standards are still being worked out and need to be further informed by modeling and case studies as well as feedback from commissioners and stakeholders. Numbers within brackets need to be evaluated further to determine what metric is appropriate. As needed, images, diagrams and definitions will accompany the standards in the ordinance to help convey the intent.

Base: The base, or podium, is the main interface between the tall building and the public realm. The following standards are intended to ensure that the base:

- is well-proportioned to the size of the tower,
- frames the public realm and creates a sense of enclosure while preventing canyon and tunnel effects with little or no massing articulation,
- allows sunlight to reach the street,
- reinforces the human scale, and
- results in a well-designed pedestrian experience.

These standards in conjunction with the other existing site plan review standards and new standards recommended by staff will assist in the creation of an attractive and animated public realm which provides a safe, interesting, and comfortable pedestrian experience that promote vibrancy and activity throughout the day and is comfortable year-round.

1. The base shall be not less than 4 stories or more than 6 stories.
2. The design and articulation of the base shall define the pedestrian experience at the street and adjacent public realm and relate to the surrounding context and built form.
  - a. Some potential additional design standards: High-quality, heavy materials, such as brick, stone, prefinished concrete, and metal, shall be used to anchor the building. Each building façade shall be divided into narrower bays with massing and façade articulation. Not less than 40 percent of the ground floor shall be windows. Not less than 20 percent of the upper floors of the base shall be windows.
  - b. Where directly adjacent to a landmark building, the scale, massing and design of the building shall complement and positively contribute to the setting of any landmark buildings and create a compatible visual relationship with them.

Middle: The intent of the standards for the tower are to:

- Affect sky views, microclimate impacts (wind, snow accumulation, and shadowing), and the amount of sunlight and shadows that reach the public realm and neighboring properties
- Ensure that the massing is more slender than bulky and avoid big, boxy, dominant massing, and large, elongated, or slab-like floor plates
- Create an enhanced, identifiable and interesting skyline
- Further sustainability objectives, such as increasing daylighting and ventilation

The tower standards apply to the location and orientation of tower, massing, transitions, and building design and articulation.

#### *Location/Transitions/Orientation*

1. A minimum separation of [somewhere between 60 and 100?] feet shall be provided between towers. No separation from the base is needed, unless otherwise required.
2. Step back the tower a minimum of [somewhere between 5 and 10?] feet on all sides from the top of the podium to distinguish it from the podium and reduce wind effects.
3. Distribute the building form and massing in a manner appropriate to the scale and proportion of the built surroundings. Locate the tower closest to major streets or streets with wider right-of-way widths and farther from adjacent properties in less intense built form districts.
4. Above the maximum allowed podium height, a minimum setback of [20?] feet shall apply from interior side and rear property lines.
5. Orient the building facades towards the sun for potential “daylighting” benefits to reduce the need for artificial lighting; for passive solar gain to reduce the need for space heating; and for energy generation opportunities such as photovoltaic or active solar panels.

#### *Massing*

1. Maximum tower floorplate of [somewhere between 8,000 and 20,000? For residential and nonresidential buildings?] square feet, not including balconies.
2. Towers shall be more slender than bulky with a maximum tower linear dimension of [somewhere between 200 and 250?] feet measured [diagonally?].

#### *Building Design/Articulation*

1. Articulation shall be both vertical and horizontal. The vertical elements should dominate (the horizontal elements should not be wider than the vertical elements).
2. Changes in plane shall occur both vertically and horizontally. [after modeling other standards, additional guidance will be added]
3. Primary materials (at least [60%?] of a façade) are “lighter”, such as glass, to reduce the perceived mass. Heavier materials may be used as accents.
4. If proposed, balconies shall have a minimum depth of 5 feet and shall be cohesive elements of the building design.
5. Variation between floor plates is encouraged to create interesting facades.
6. Operable windows with high quality finishes are encouraged.

Top: The intent of the standards for the top are to:

- Create an integrated and appropriate conclusion to the building,
- Minimize visibility of mechanical penthouses and elevator shafts, and
- Add visual interest to the skyline.

The following draft standards are proposed for the top:

1. The top of the building shall be terminated in a distinctive manner that is integrated with the overall design of the building. The tallest buildings shall have the most distinctive designs. The exterior facades of the top floors may tie into the top provided the top is well-defined and legible.
2. Mechanical penthouses shall be well-integrated into the overall massing of the building and clad in materials that are consistent with the quality of the entire building. Wrapping mechanical equipment with occupiable space is preferred. Mechanical equipment and enclosures and stair and elevator towers shall be stepped back a minimum of [10?] feet from the floor below.
3. Installation of photovoltaic panels (integrated and/or rooftop) and green roofs is encouraged.

### **Applicable Policies to Tall Building Standards**

#### **POLICY 5: VISUAL QUALITY OF NEW DEVELOPMENT**

Ensure a high-quality and distinctive physical environment in all parts of the city through building and site design requirements for both large and small projects.

b. Require multiple buildings on development sites outside of the downtown core that encompass most of an entire block or block frontage to increase visual interest. On sites in the downtown core, buildings that encompass an entire city block are encouraged to use massing that is responsive to the human scale and provides pedestrian through-block connections through existing super blocks or to re-establish the street grid.

c. Ensure that exterior building materials are durable, sustainable, create a lasting addition to the built environment, and contribute positively to the public realm and reflect existing context.

f. Consider design approaches that encourage creative solution for transitions between varying intensities of building types and land uses.

l. Require the podiums of tall buildings to reflect the human scale, with design elements and active uses on the ground level.

m. Develop design guidance specific to encouraging high quality tall building construction.

s. Balance visual quality of new development, including articulation of buildings, with energy efficiency of new buildings.

#### **POLICY 6: PEDESTRIAN-ORIENTED BUILDING AND SITE DESIGN**

Regulate land uses, building design, and site design of new development consistent with a transportation system that prioritizes walking first, followed by bicycling and transit use, and lastly motor vehicle use.

g. Encourage building placement that where possible enables solar access and allows light and air into the site and surrounding properties and supports energy efficient lighting.

h. Encourage building placement and massing design that considers the impact of shadowing, particularly on public spaces, recognizing that extreme seasons make shaded areas alternately desirable at different times of year.

**POLICY 22: DOWNTOWN TRANSPORTATION**

Ensure travel to and throughout Downtown is efficient, understandable, reliable, and safe.

c. Improve the pedestrian environment Downtown by investing in the public realm and designing buildings to create a pedestrian friendly environment.

**POLICY 68: ENERGY EFFICIENT AND SUSTAINABLE BUILDINGS**

Achieve steep increases in energy efficiency of buildings through retrofits, design of new buildings, and decarbonization options -while promoting sustainable building practices for new and existing construction.

e. Identify ways to encourage and incentivize sustainable design practices and principle for privately-funded projects.

## **Feedback Requested**

### *FAR bonuses*

- Is it feasible to develop quantifiable, non-discretionary standards for each of these bonuses?
- Should any of these proposed bonuses be eliminated from consideration?
- For those bonuses that include a minimum square footage, are the proposed sizes appropriate?

### *Height increases*

- Is it feasible to develop quantifiable, non-discretionary standards for each of these premiums?
- Should any of these proposed premiums be eliminated from consideration? Should anything be added?

### *Findings*

- Do these findings capture what should be evaluated with height increases?
- Is the intent clearly conveyed in each finding?
- Is there anything else that should be considered in the draft findings?

### *Tall building standards*

- Is the general intent for the tall building standards appropriate for buildings 15-20 or more stories in height?
- Are there other standards that should be considered?