

REPORT TO THE CITY COUNCIL FROM  
**ZONING & PLANNING COMMITTEE**  
March 5, 2020

A regular meeting of the committee was convened at 10:02 am on this date.

Members Present: Council Members Jeremy Schroeder (Chair), Kevin Reich (Vice-Chair), Cam Gordon, Jeremiah Ellison, Lisa Goodman, and Lisa Bender (Quorum - 4)

Matters listed below are hereby submitted with the following recommendations; to-wit:

1. Conditional use permit and site plan review appeal: Eric Amel, on behalf of the Prospect Park Neighborhood Association, 3326, 3338, and 3350 University Ave SE ([2020-00283](#))

Considering an appeal submitted by Eric Amel, on behalf of the Prospect Park Neighborhood Association, regarding the following decisions of the City Planning Commission (PLAN10414) to amend previous approvals for a new 14-story mixed-use development to add additional dwelling units to the property located at 3326, 3338, and 3350 University Ave SE:

1. Approving an amendment to a conditional use permit for a new 14-story mixed-use development, subject to conditions.
2. Approving an amendment to a site plan review for a new 14-story mixed-use development to add additional dwelling units, subject to conditions.

Staff presentation by Peter Crandall and Kimberly Holien, Community Planning & Economic Development Department.

The hearing was opened, and the following persons spoke:

1. Eric Amel, appellant, 1 Seymour Ave SE, Prospect Park Neighborhood Association (PPA)
2. Laura Price, on behalf of appellant, PPA
3. Ari Parritz, on behalf of applicant, 1026 Portland Ave, St Paul, Vermilion Development
4. David Gundale, 29 Clarence Ave SE
5. Amanda Herrera Gundale, 29 Clarence Ave SE
6. Joseph Ring, 101 Melbourne Ave SE, PPA
7. Vince Netz
8. Richard Adams, 220 Cecil St NE
9. Dan Bryant, 2000 Sharon Ave SE
10. Richard Gilyard, 194 Malcolm Ave SE
11. Martha Joy, 17 Seymour Ave SE
12. David Frank, 48 Clarence Ave SE
13. Florence Littman, 76 Clarence Ave SE
14. Gayla Lindt, 1 Seymour Ave SE
15. Gary Gardner, 21 Seymour Ave SE

The hearing was closed.

Gordon moved to deny the appeal and approve the following:

1. Conditional use permit for a new 14-story mixed-use development, subject to the following conditions:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within two years of approval.
2. Per their voluntary agreement, the applicant will provide off street parking spaces to the neighboring residents who live on Prospect Terrace.
3. The applicant shall work with Public Works staff and neighbors to explore making all parking on Prospect Terrace permit parking only, 24 hours of the day, 7 days of the week.
4. The applicant shall provide CPED staff with a detailed design of properly engineered retaining walls in compliance with the Minnesota Building Code constructed to provide adequate drainage and soil retention at the rear of the site adjacent to the neighboring residential properties.
5. Parking garage exhaust ventilation will ventilate north and northwest towards University Avenue and will not ventilate to the rear toward residential properties.
6. As required by section 527.120 of the zoning code, the development shall comply with the standards for active liner uses, conservation of the built environment, plaza standards, art features, pet exercise, and a recycling storage area from Table 527-1, Amenities totaling a minimum of 25 points.
7. The mechanicals to the south of the building shall be located as far away from neighboring residential properties, shall be enclosed and shall have structured and planted screening elements to reduce noise.
8. The applicant shall strive to achieve LEED standards or similar contemporary sustainable guidelines for the construction process, the building materials and operation.
9. The developer shall work with the property owners of directly adjacent property to implement screening and other measures to reduce the visual impact of the proposed 14-story mixed use building. Screening shall include coniferous trees on the developer's property between the development and the parcels located at 25 and 29 Clarence Ave SE, of a similar size and spacing to those shown in the proposed plant schedule.
2. Site plan review for a new 14-story mixed-use development to add additional dwelling units, subject to the following conditions:
  1. All site improvements shall be completed by February 10, 2022, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
  2. CPED staff shall review and approve the final site, elevation, landscaping, and lighting plans before building permits may be issued.
  3. All proposed on-site mechanical equipment shall be screened to meet the requirements of chapter 535.
  4. All proposed on-site fencing shall meet the requirements of chapter 535.
  5. The applicant shall provide a clear and well-lit walkway of at least 4 feet in width along the Prospect Terrace elevation connecting all building entrances to the public right of way.
  6. The applicant shall submit a master sign plan prior to issuance of a building permit showing compliance with chapter 543 of the zoning code.

7. The applicant shall provide a final photometric lighting plan showing location, type, and luminance of all proposed exterior lighting fixtures and demonstrating compliance with chapters 530 and 535 of the zoning code.
8. The applicant shall work with the relevant utilities to bury power lines in the public right of way along the street-facing elevations of the proposal.
9. In order to meet the requirements for the Conservation of the Built Environment amenity, the applicant shall retain at least 41% of the exterior of the Art & Architecture building, consistent with the zoning code definition of demolition.
10. The developer shall provide a central point of contact to provide updates and respond to neighbor concerns during the construction process.

On voice vote, the motion passed.

2. Rezoning: Mark Roos with Lake Harriet Development, LLC, 3115 E 42nd St ([2020-00279](#))
  1. Approving an application submitted by Mark Roos with Lake Harriet Development, LLC, to rezone (PLAN10284) the property located at 3115 E 42nd St from the R1A Multiple-family District to the R5 Multiple-family District to construct a new 30-unit residential building.
  2. Passage of Ordinance amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

Schroeder moved to approve. On voice vote, the motion passed.  
[Ellison and Bender absent]

3. Street vacation: Minneapolis Park and Recreation Board, 404 and 420 15th Ave S and 1417 S 5th St ([2020-00282](#))
  1. Approving an application submitted by Minneapolis Park and Recreation Board to vacate (VAC1703) a utility easement over the northeasterly 55 feet of the southwesterly 80 feet of vacated S 5th St, subject to the retention of easements in favor of the City and CenturyLink.
  2. Passage of Resolution vacating a utility easement over the northeasterly 55 feet of the southwesterly 80 feet of vacated S 5th St, Atwaters Addition to the Town of Minneapolis (VAC1703).

Schroeder moved to approve. On voice vote, the motion passed.  
[Ellison and Bender absent]

4. Heritage Preservation Commission appointments ([2020-00285](#))

1. Approving the following Council appointments for three-year terms beginning Jan 1, 2020, and ending Dec 31, 2022: Marais Bjornberg, Seat 10, Ward 1; and Andrew T. Johnson, Seat 1, Ward 3.
2. Approving the Council reappointment of Barbara Howard, Seat 3, Ward 10, for a two-year term beginning Jan 1, 2020, and ending Dec 31, 2021.
3. Approving the Council reappointment of Ian Stade, Seat 6, Ward 11, for a three-year term beginning Jan 1, 2020, and ending Dec 31, 2022.

The Chair afforded the courtesy of floor to Marais Bjornberg and Andrew Johnson, who introduced themselves to the committee.

Schroeder moved to approve. On voice vote, the motion passed.  
[Ellison and Bender absent]

5. Accessory structures height ordinance ([2019-00706](#))

Passage of Ordinance amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, amending regulations governing the height of accessory structures:

1. Chapter 525 Administration and Enforcement.
2. Chapter 537 Accessory Uses and Structures.

Staff presentation by Andrew Liska, Community Planning & Economic Development Department.

Gordon moved to approve, including several amendments related to administrative increases in accessory structures height in Section 537.50. On voice vote, the motion passed.

With no further business to transact, the meeting adjourned at 11:35 am.

Reported by Ken Dahler, Council Committee Coordinator