

REPORT TO THE CITY COUNCIL FROM
BUSINESS, INSPECTIONS & ZONING COMMITTEE
July 21, 2020

A regular meeting of the committee was convened at 1:32 p.m. on this date.

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

Pursuant to Minnesota Statutes Section 13D.021, the meeting was held by electronic means and Council Members and staff participated remotely due to the local public health emergency (novel coronavirus pandemic) declared on March 16, 2020.

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

1. Certificate of Appropriateness and Historic Variance appeals: Michael Radel and Robert Van Nelson, 1219 W 31st St ([2020-00778](#))

Considering an appeal submitted by Michael Radel and Robert Van Nelson regarding the decision of the Heritage Preservation Commission approving the Certificate of Appropriateness application and Historic Variance (PLAN10967) for the Joyce Memorial Methodist Church, a historic landmark located at 1219 W 31st St.

Staff presentation by Rob Skalecki and Kim Holien, Department of Community Planning & Economic Development (CPED), and Joel Fussy, Assistant City Attorney.

The public hearing was opened.

The following persons spoke:

1. Robert VanNelson, 1215 W 31st St, appellant
2. Michael Radel, 3109 Fremont Ave S, appellant
3. Meghan Elliott, with New History, representing the development team/applicant
4. Michael Margulies, 2007 W Franklin Ave, project developer on behalf of applicant

The public hearing was closed.

Schroeder moved to deny the appeal. On roll call, the motion passed.

Aye: Goodman, Schroeder, Reich, Gordon, Fletcher, and Ellison (6)

Nay: (0)

Abstain: (0)

Absent: (0)

2. Conditional use, variance, and site plan review appeal: Max Ellis, on behalf of South Uptown Neighborhood Association, 3501-3525 Hennepin Ave ([2020-00779](#))

Considering an appeal submitted by Max Ellis, on behalf of South Uptown Neighborhood Association, regarding approval of the following decisions of the City Planning Commission (PLAN10800) to allow for the retention of a one-story commercial building and construction of a five-story building addition with 1,408 square feet of additional commercial space and 74 apartments for the properties located at 3501-3525 Hennepin Ave:

1. Conditional use permit to allow for an increase in height from 4 stories/56 feet to 5 stories/59 feet.
2. Variance to reduce the front yard setback for the building along Hennepin Ave from 15 feet to 4 feet for the proposed building addition, from 15 feet to 13 feet for ground level patios, from 15 feet to 4 feet for a transformer and from 15 feet to zero for walkways.
3. Variance to reduce the reverse corner front yard setback along 35th St W from 20 feet to 15 feet for the building and 20 feet to 8 feet for balconies for the first 25 feet from the shared property line with 1411 35th St W.
4. Variance to reduce the rear yard setback from 13 feet to 5 feet for the building addition and from 13 feet to 1 foot for the balconies.
5. Variance to reduce the southern interior side yard setback from 13 feet to 5 feet for the building (exposed portion of the first floor parking garage) and to reduce the southern interior side yard setback from 13 feet to 7 feet for projecting balconies.
6. Variance to increase maximum lot coverage allowance from 70 percent to 86 percent for the properties located at 3509-3525 Hennepin Ave.
7. Variance to increase the lot impervious surface allowance from 85 percent to 86 percent for the properties located at 3509-3525 Hennepin Ave.
8. Site plan review to allow for the retention of a one-story commercial building and construction of a five-story building addition with 1,408 square feet of commercial space and 74 apartments.

Staff presentation by Aaron Hanauer, CPED.

The public hearing was opened.

The following persons spoke:

1. Scott Engel, on behalf of South Uptown Neighborhood Association, appellant
2. Max (Maxine) Ellis, President of South Uptown Neighborhood Association, appellant
3. Julie Michener, 3529 Girard Ave S
4. Leslee Plummer, 3512 Girard Ave S
5. Robert Loken, with ESG Architecture & Design, 500 Washington Ave, with the development team/applicant
6. Bruce Cochran, 3520 Girard Ave S

The public hearing was closed.

Goodman moved to grant the appeal. On roll call, the motion lost.

Aye: Reich, Goodman (2)

Nay: Schroeder, Gordon, Fletcher, and Ellison (4)

Abstain: (0)

Absent: (0)

Schroeder moved to deny the appeal. On roll call, the motion passed.

Aye: Schroeder, Reich, Gordon, Fletcher, and Ellison (5)

Nay: Goodman (1)

Abstain: (0)

Absent: (0)

3. Business subsidy agreement with Northgate Development LLC: 1200 Plymouth Ave N ([2020-00735](#))

Setting a public hearing for August 4, 2020, to consider approval of a business subsidy agreement with Northgate Development LLC at 1200 Plymouth Ave N.

Goodman moved to set the public hearing for August 4, 2020. On roll call, the motion passed.

Aye: Goodman, Schroeder, Reich, Gordon, and Fletcher (5)

Absent: Ellison (1)

Nay: (0)

Abstain: (0)

4. Local Historic District Designation: Lynnhurst Residential Historic District ([2020-00754](#))

Passage of Resolution approving the local historic district designation (PLAN10924) of the Lynnhurst Residential Historic District which includes the following sixty-six (66) properties:

4600, 4608, 4616, 4626, 4634, 4640, 4648, 4700, 4710, 4720, 4730, 4736, 4746, and 4756 Dupont Ave S;

4600, 4601, 4608, 4609, 4615, 4618, 4621, 4626, 4631, 4632, 4637, 4644, 4645, 4652, 4655, 4700, 4701, 4708, 4709, 4716, 4717, 4724, 4725, 4735, 4736, 4740, 4741, 4752, and 4753 Emerson Ave S;

4600, 4601, 4612, 4620, 4621, 4626, 4629, 4638, 4639, 4650, 4653, 4700, 4705, 4715, 4716, 4725, 4726, 4732, 4735, 4740, 4741, 4751, and 4754 Fremont Ave S.

Goodman moved to approve. On roll call, the motion passed.

Aye: Goodman, Schroeder, Reich, Gordon, and Fletcher (5)

Absent: Ellison (1)

Nay: (0)

Abstain: (0)

5. Rezoning: CKMJ Holdings II LLC, 2911 Grand St NE ([2020-00780](#))

1. Approving an application submitted by CKMJ Holdings II LLC to rezone (PLAN11009) the property located at 2911 Grand St NE from the R2B Two-family District to the R5 Multiple Family District to establish a Cluster Development and construct a new two-story residential building with a total of eight units.
2. Passage of Ordinance amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

Goodman moved to approve. On roll call, the motion passed.

Aye: Goodman, Schroeder, Reich, Gordon, and Fletcher (5)

Absent: Ellison (1)

Nay: (0)

Abstain: (0)

6. Rezoning: Keith Lentz, 2641 Fremont Ave S ([2020-00781](#))

1. Approving an application submitted by Keith Lentz to rezone (PLAN10855) the property located at 2641 Fremont Ave S from the R2B Multiple Family District to the R3 Multiple Family District to add one dwelling to an existing multiple-family dwelling with three units.
2. Passage of Ordinance amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

Goodman moved to approve. On roll call, the motion passed.

Aye: Goodman, Schroeder, Reich, Gordon, and Fletcher (5)

Absent: Ellison (1)

Nay: (0)

Abstain: (0)

7. Rezoning: Dan Oberpriller, 1127 4th St SE and 411 12th Ave SE ([2020-00783](#))

1. Approving an application submitted by Dan Oberpriller to rezone (PLAN10764) the properties located at 1127 4th St SE and 411 12th Ave SE from the R5 Multiple-Family District to the C3A Community Activity Center District to construct a new six-story mixed use building with 60 dwelling units and 522 square feet of commercial space.
2. Passage of Ordinance amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

Goodman moved to approve. On roll call, the motion passed.

Aye: Goodman, Schroeder, Reich, Gordon, and Fletcher (5)

Absent: Ellison (1)

Nay: (0)

Abstain: (0)

8. Rezoning: Michael Appleman, 1820 Girard Ave S ([2020-00776](#))

1. Approving an application submitted by Michael Appleman to rezone (PLAN10971) the property located at 1820 Girard Ave S from the R2 Multiple-family District to the R3 Multiple-Family district to allow a four-unit residential use in an existing structure.

2. Passage of Ordinance amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

Goodman moved to approve. On roll call, the motion passed.

Aye: Goodman, Schroeder, Reich, Gordon, and Fletcher (5)

Absent: Ellison (1)

Nay: (0)

Abstain: (0)

9. Rezoning: South Face Investments, LLC, 3136 Minnehaha Ave ([2020-00775](#))

1. Approving an application submitted by South Face Investments, LLC to rezone (PLAN10958) the property located at 3136 Minnehaha Ave from the R2B Two-family District to the R5 Multiple-family District, retaining the Pedestrian Oriented Overlay District to construct a new three-story residential building with 18 dwelling units.
2. Passage of Ordinance amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

Goodman moved to approve. On roll call, the motion passed.

Aye: Goodman, Schroeder, Reich, Gordon, and Fletcher (5)

Absent: Ellison (1)

Nay: (0)

Abstain: (0)

10. Alley vacation: Heidi Rathmann, for Olson Housing, 461 Girard Terrace ([2020-00777](#))

1. Approving an application submitted by Heidi Rathmann (PLAN10689) to vacate a 20-foot utility easement on the property located at 461 Girard Terrace (Olson Housing), subject to the easement rights by Xcel Energy and CenterPoint Energy.
2. Passage of Resolution vacating a 20' utility easement in the alley between Olson Memorial Hwy, and Girard Terrace, east of Humboldt Ave N (Vacation File No.1738).

Goodman moved to approve. On roll call, the motion passed.

Aye: Goodman, Schroeder, Reich, Gordon, and Fletcher (5)

Absent: Ellison (1)

Nay: (0)

Abstain: (0)

11. Regulation of off-street parking and travel demand management ordinance ([2020-00704](#))

Referring to staff the subject matter of an ordinance amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, amending regulations related to off-street parking and loading as well as travel demand management:

1. Chapter 520 Introductory Provisions.
2. Chapter 521 Zoning Districts and Maps Generally.
3. Chapter 525 Administration and Enforcement.
4. Chapter 527 Planned Unit Development.

5. Chapter 530 Site Plan Review.
6. Chapter 531 Nonconforming Uses and Structures.
7. Chapter 535 Regulations of General Applicability.
8. Chapter 536 Specific Development Standards.
9. Chapter 537 Accessory Uses and Structures.
10. Chapter 541 Off-Street Parking and Loading.
11. Chapter 546 Residence Districts.
12. Chapter 547 Office Residence Districts.
13. Chapter 548 Commercial Districts.
14. Chapter 549 Downtown Districts.
15. Chapter 550 Industrial Districts.
16. Chapter 551 Overlay Districts.

Goodman moved to refer to staff. On roll call, the motion passed.

Aye: Goodman, Schroeder, Reich, Gordon, and Fletcher (5)

Absent: Ellison (1)

Nay: (0)

Abstain: (0)

12. Regulation of rooming units and congregate living facilities ordinance (Housing Code) ([2020-00702](#))

Referring to staff the subject matter of an ordinance amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to Housing: Maintenance Code, creating a regulatory framework to allow for new — and to better regulate existing — rooming houses, single room occupancy units, and congregate living facilities.

Goodman moved to refer to staff. On roll call, the motion passed.

Aye: Goodman, Schroeder, Reich, Gordon, and Fletcher (5)

Absent: Ellison (1)

Nay: (0)

Abstain: (0)

13. Regulation of rooming units and congregate living facilities ordinance (Zoning Code) ([2020-00703](#))

Referring to staff the subject matter of an ordinance amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, creating a regulatory framework to allow for new — and to better regulate existing — rooming houses, single room occupancy units, and congregate living facilities:

1. Chapter 520 Introductory Provisions.
2. Chapter 525 Administration and Enforcement.
3. Chapter 527 Planned Unit Development.
4. Chapter 530 Site Plan Review.
5. Chapter 531 Nonconforming Uses and Structures.
6. Chapter 535 Regulations of General Applicability.
7. Chapter 536 Specific Development Standards.
8. Chapter 537 Accessory Uses and Structures.
9. Chapter 541 Off-Street Parking and Loading.

10. Chapter 546 Residence Districts.
11. Chapter 547 Office Residence Districts.
12. Chapter 548 Commercial Districts.
13. Chapter 549 Downtown Districts.
14. Chapter 550 Industrial Districts.
15. Chapter 551 Overlay Districts.

Goodman moved to refer to staff. On roll call, the motion passed.

Aye: Goodman, Schroeder, Reich, Gordon, and Fletcher (5)

Absent: Ellison (1)

Nay: (0)

Abstain: (0)

14. Rezoning: Tony Kriha, 3501-3525 Hennepin Ave ([2020-00782](#))

1. Approving an application submitted by Tony Kriha to rezone (PLAN10800) the properties located at 3501-3525 Hennepin Ave to add the SZ Split Zoning Overlay District to allow for the retention of a one-story commercial building and construction of a five-story building addition with 1,408 square feet of additional commercial space and 74 apartments.
2. Approving an application submitted by Tony Kriha to rezone (PLAN10800) the property located at 3501 Hennepin Ave from the C1 Neighborhood Commercial District to the C3A Community Activity Center District to allow for the retention of a one-story commercial building and construction of a five-story building addition with 1,408 square feet of additional commercial space and 74 apartments.
3. Approving an application submitted by Tony Kriha to rezone (PLAN10800) the properties at 3509-3517 Hennepin Ave from C1 Neighborhood Commercial District to OR2 High Density Office Residence District to allow for the retention of a one-story commercial building and construction of a five-story building addition with 1,408 square feet of additional commercial space and 74 apartments.
4. Approving an application submitted by Tony Kriha to rezone (PLAN10800) the properties at 3523-3525 Hennepin Avenue from the R4 Multiple-Family District to the OR2 High Density Office Residence District to allow for the retention of a one-story commercial building and construction of a five-story building addition with 1,408 square feet of additional commercial space and 74 apartments.
5. Passage of Ordinance amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

Goodman moved to approve. On roll call, the motion passed.

Aye: Goodman, Schroeder, Reich, Gordon, Fletcher, and Ellison (6)

Nay: (0)

Abstain: (0)

Absent: (0)

With no further business to transact, the meeting adjourned at 3:01 p.m.

Reported by Irene Kasper, Clerk