

REPORT TO THE CITY COUNCIL FROM
ZONING & PLANNING COMMITTEE
April 11, 2019

A regular meeting of the committee was convened at 10:05 am on this date.

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

Members Absent: Council Member Lisa Goodman

The Chair afforded the courtesy of the floor to Development Services Director Steve Poor, who thanked Jason Wittenberg for his service to the City as Land Use and Preservation Manager and welcomed Kimberly Holien to that role.

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

1. Variance appeal: Michael Trdan, 2504 35th Ave S ([2019-00409](#))

Considering an appeal submitted by Michael Trdan regarding the decision of the Zoning Board of Adjustment approving a variance (PLAN8293) to reduce the minimum off-street parking requirement for a child care center located at 2504 35th Ave S.

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

The hearing was opened, and the following persons spoke:

1. Michael Trdan, appellant, 2524 35th Ave S
2. Karina Zumba, on behalf of applicant, Tierra Encantada
3. Patrick Spangenberg, on behalf of applicant
4. Rosemary Frazel, 2440 34th Ave S
5. Sheila Hougen, 2455 34th Ave S
6. Roger Howley, 2440 34th Ave S

The hearing was closed.

Gordon moved to deny the appeal. On voice vote, the motion passed.
[Goodman and Bender absent]

2. Variance appeal: Ellen Schmitz, 4012-4016 Minnehaha Ave ([2019-00421](#))

Considering an appeal submitted by Ellen Schmitz regarding the decision of the City Planning Commission approving a variance (PLAN8334) to reduce the minimum parking requirement from 30 spaces to four spaces for the properties located at 4012 and 4016 Minnehaha Ave, subject to conditions.

Staff presentation by Lindsey Wallace, Community Planning & Economic Development Department.

The hearing was opened, and the following persons spoke:

1. Ellen Schmitz, appellant
2. Karina Zumba, on behalf of applicant, Tierra Encantada
3. Heather Pressler, 3413 E 40th St
4. Molly O'Boyle, 3953 36th Ave S
5. Joel Carter, 4033 Snelling Ave
6. Sheila Hougen, 2455 34th Ave S
7. Ed Kohler, 3040 46th Ave S

The hearing was closed.

The Chair afforded the courtesy of the floor to Council Member Johnson, who thanked residents for coming to testify, and expressed a desire to work with partners to address the traffic issue in the neighborhood.

Schroeder moved to deny the appeal. On voice vote, the motion passed.
[Goodman and Bender absent]

3. Rezoning: Noah Eastman, 3811 Minnehaha Ave ([2019-00403](#))

1. Approving an application submitted by Noah Eastman to rezone (PLAN8278) the property located at 3811 Minnehaha Ave from the R1A Single-family District to the R2B Two-family District to convert the existing single-family home to a duplex.
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.
[Goodman and Bender absent]

4. Rezoning: NE Park Investment LLC, 1501 Johnson St NE ([2019-00406](#))

1. Approving an application submitted by NE Park Investment LLC to rezone (PLAN8131) the property located at 1501 Johnson St NE to add the IL Industrial Living Overlay District to construct a new, multiple-family building with 164 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.

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

5. Conditional use permit and site plan review appeal: Carol Lansing, on behalf of Faegre Baker Daniels LLP, 4757 Hiawatha Ave ([2019-00055](#))

Considering an appeal submitted by Carol Lansing, on behalf of Faegre Baker Daniels LLP, regarding the following decisions of the City Planning Commission (PLAN7758) to allow for a new six-story, multiple-family dwelling located at 4757 Hiawatha Ave:

1. Denying a conditional use permit to increase the maximum height in the SH Shoreland Overlay District from 2 1/2 stories, not to exceed 35 feet, to 6 stories, 70 feet, measured to the parapet and 85 feet measured to the top of the stair and elevator tower.
2. Denying a site plan review.

Staff presentation by Shanna Sether, Community Planning & Economic Development Department.

The Chair afforded the courtesy of the floor to Council Member Johnson, who spoke in support of the revised project.

Schroeder moved to grant the appeals, adopt the revised staff findings, and approve the following:

1. Conditional use permit to increase the maximum height in the SH Shoreland Overlay District from 2 1/2 stories, not to exceed 35 feet, to 5 stories, not to exceed 70 feet to the top of the roof deck, 76 ft. 7 in. and 75 feet to the top of the stair and elevator tower, subject to the following condition:
 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. Site plan review for a new mixed-use building with 75 dwelling units, subject to the following conditions:
 1. All site improvements shall be completed by March 29, 2021, 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. The plant materials, and installation and maintenance of the plant materials, shall comply with sections 530.200 and 530.210 of the zoning code.
 4. The applicant shall provide sufficient detail, such as windows, entries, recesses or projections, or other architectural elements to avoid blank walls exceeding 25 feet on the building elevations.
 5. The applicant shall revise the exterior materials and provide no more than three consistent materials on all four sides of the building and meet the standards set in Table 1. Percentage of Exterior Materials per Elevation.
 6. All mechanical equipment be shown on the site plan and screened as required by section 535.70 of the zoning code.
 7. The applicant shall relocate the proposed retail to the southeast corner of the building to increase visibility and pedestrian connection to the east.

On voice vote, the motion passed.
[Goodman and Bender absent]

6. Tobacco shop study update ([2019-00420](#))

Receiving and filing an update on the study to evaluate the impact of tobacco products shops and to propose potential amendments to the City's official controls and other regulatory devices deemed necessary and advisable.

Staff presentation by Lindsey Wallace and Craig Eliason, Community Planning & Economic Development Department.

Schroeder moved to receive and file. On voice vote, the motion passed.
[Goodman and Bender absent]

With no further business to transact, the meeting adjourned at 11:36 am.

Reported by Ken Dahler, Council Committee Coordinator