

# Planning Commission Minutes

Regular Meeting  
February 6, 2023 - 4:30 pm  
Room 317, City Hall

**Members Present:** Alyssa Olson (President), Becky Alper, Bill Baxley, Joseph Campbell, Angela Conley, Keith Ford, Emily Koski, and Christopher Meyer (Quorum: 5)

**Members Absent:** Abdul Abdi and Aneesha Marwah

**Staff :** Rachel Blanford

## Call To Order

1. Roll Call.

### Quorum Present

2. Adoption of the agenda.

### Action Taken: Adopted

3. Acceptance of minutes

[Jan 23, 2023 Planning Commission](#)

### Action Taken: Accepted

## Public Hearing

4. **1011 and 1025 Portland Ave, Ward 7**  
City Staff: [Mei-Ling Smith](#), PLAN15710

This item has been continued from the January 9th, 2023, and January 23rd, 2023 meetings.

### A. Rezoning.

**Action:** This item has been returned.

### B. Conditional Use Permit.

**Action:** This item has been returned.

### C. Variance.

**Action:** This item has been returned.

### D. Variance.

**Action:** This item has been returned.

[1025 Portland Ave staff report](#)

**Returned on consent.**

5. **2837 Oakland Ave and 2844 Park Ave, Ward 6**

**City Staff:** [Lindsey Silas](#), PLAN15742

The City Planning Commission adopted staff findings for the application by Graham Faulkner for the properties located at 2837 Oakland Ave and 2844 Park Ave:

**A. Change of a Nonconforming Use.**

**Action:** The City Planning Commission **approved** the change of a nonconforming use application for PVC record production, subject to the following conditions:

1. All parking spaces and aisles shall be clearly marked and striped per section 54320 of the zoning code. Repairs shall be made to the surfacing material of the parking lot to fix holes and cracks.
2. Prior to final CPED approval, the applicant shall submit an accurate dimensioned site plan showing parking space and drive aisle dimensions that comply with section 541.330 of the zoning code.
3. Final plans shall demonstrate that all refuse and recycling storage containers comply with screening requirements in section 535.80 of the zoning code.
4. Signage for the project shall comply with all signage requirements in Chapter 543 of the zoning code. All signage requires a sign permit.
5. Landscaping on site shall include not less than two ornamental trees and 10 shrubs of one-gallon container size at time of planting. The applicant shall provide screening consisting of a fence or shrubs along Park Ave to screen the surface parking lot from the public street. A detailed landscaping plan showing proposed plant materials shall be submitted prior to final CPED approval.
6. The plant materials, and installation and maintenance of the plant materials, shall comply with sections 530.200 and 530.210 of the zoning code.

[2837 Oakland Ave staff report](#)

**Approved on consent.**

6. **1500, 1516, 1600 Marshall St NE, Ward 3**

**City Staff:** [Lindsey Silas](#), PLAN15641, VAC-1775, VAC-1776

The City Planning Commission adopted staff findings for the applications by Herb Tousley with Exeter Marshall LLC for the properties located at 1500, 1516, and 1600 Marshall St NE:

**A. Rezoning.**

**Action:** The City Planning Commission recommended that the City Council **approve** the petition to rezone the properties located at 1500 and 1516 Marshall St NE from the I2 Medium Industrial District to the C3A Community Activity Center District, retaining the BFC6 Corridor 6 Built Form

Overlay District, SH Shoreland Overlay District, and MR Mississippi River Corridor Critical Area Overlay District.

#### **B. Rezoning.**

**Action:** The City Planning Commission recommended that the City Council **approve** the petition to rezone the property located at 1600 Marshall St NE from the I1 Light Industrial District to the C3A Community Activity Center District, retaining the BFC6 Corridor 6 Built Form Overlay District, SH Shoreland Overlay District, and MR Mississippi River Corridor Critical Area Overlay District.

#### **C. Conditional Use Permit.**

**Action:** The City Planning Commission **approved** the conditional use permit to allow a new planned unit development consisting of one, five-story mixed-use building with 184 dwelling units and 3,128 square feet of commercial space, 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. The project shall utilize roofing materials for 75 percent or more of the total roof surface that have a Solar Reflectance Index (SRI) equal to or greater than the values as required by the US Green Building Council (USGBC) for low-sloped and steep-sloped roofs.
3. The lighting plan shall highlight significant areas of the site or architectural features of the buildings.
4. The landscaping plan shall be of exceptional design and show a variety of native tree, shrub, and plant types that provide seasonal interest and that exceed the requirements of Chapter 530, Site Plan Review. The landscaped areas shall have a resource-efficient irrigation system. The landscaping plan shall be prepared by a licensed landscape architect.
5. A pet exercise area shall be provided that shall be no smaller than 20 feet by 40 feet. It shall be enclosed with decorative fencing, including lighting in compliance with Chapter 535, Regulations of General Applicability, and provide accommodations for proper disposal of animal waste.
6. An easily accessible recycling storage area serving the entire building shall be provided within the building.
7. A twelve-foot wide multiple-use pathway shall be provided along the southern edge of the property, as shown in the submitted plans, connecting Marshall St NE with the multiple-use paved trail located on the Minneapolis Park and Recreation Board property to the west of the subject site. The pathway shall include an accessible entrance from Marshall St NE. The pathway shall be maintained year-round by the property owner.

#### **D. Site Plan Review.**

**Action:** The City Planning Commission **approved** the site plan review for a new planned unit development consisting of one, five-story mixed-use building with 184 dwelling units and 3,128 square feet of commercial space, subject to the following conditions:

1. All site improvements shall be completed by February 6, 2025, 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 signs shall comply with Chapter 543, On-Premise Signs of the zoning code. All signage requires a separate permit from CPED.
4. This project is subject to Inclusionary Zoning requirements unless it qualifies for an exemption. A fully executed Inclusionary Zoning Compliance Plan will be required before a commercial building permit will be issued.
5. The applicant shall submit a photometric lighting plan demonstrating compliance with Chapter 535, Regulations of General Applicability, and Chapter 541, Off-Street Parking, Loading, and Mobility, of the zoning code. The lighting plan shall show that all walkways would be well-lit.
6. The applicant shall meet the requirements for a minor Travel Demand Management Plan.
7. The final plans shall demonstrate compliance with the additional landscaping requirements in sections 530.180, 530.190, 530.200, and 530.210 of the zoning code.

**E. Preliminary and Final Plat.**

**Action:** The City Planning Commission approved the application for a preliminary and final plat.

**F. Vacation-1775**

**Action:** The City Planning Commission approved the vacation of a portion of Water St, between the Mississippi River and Marshall St.

**G. Vacation-1776**

**Action:** The City Planning Commission approved the vacation of a portion of 15th St NE, between the Mississippi River and Marshall St.

[1516 Marshall St NE staff report](#)

**Approved on consent.**

7. **3805 Washington Ave N, Ward 4**

**City Staff:** [Lindsey Silas](#), PLAN15784

The City Planning Commission adopt staff findings for the application by Jeremy Hover with Day One Recover Center for the property located at 3805 Washington Ave N:

**A. Conditional Use Permit.**

**Action:** The City Planning Commission approved the conditional use permit to allow a hospital, 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. CPED staff shall review and approve the final site and landscaping plans before building permits may be issued.
3. The parking lot shall be screened from the public streets with shrubs that are at least 3 feet in height and 60 percent opaque.
4. The applicant shall provide a pedestrian connection between the primary building entrance and Dowling Ave N.

[3805 Washington Ave N staff report](#)

**Yea:** Alper, Baxley, Conley, Ford, Koski, Meyer

**Nay:** None

**Abstain:** Campbell

**Absent:** Abdi, Marwah

8. **5401 Chicago Ave and 811 54th St E, Ward 11**  
**City Staff:** [Hilary Dvorak](#), PLAN15763 and VAC-1770

The City Planning Commission adopted staff findings for the applications by New Life Properties LLC for the properties located at 5401 Chicago Ave and 811 East 54th St:

**A. Site Plan Review.**

**Action:** The City Planning Commission **approved** the site plan review for a new, mixed-use building with 47 dwelling units and approximately 3,800 square feet of ground-level commercial space, subject to the following conditions:

1. All site improvements shall be completed by February 6, 2025, 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. Except as allowed by the affordable housing premium, all premiums shall be maintained for the life of the principal structure. The length of compliance with the affordable housing premium shall be as required by the Unified Housing Policy.
4. All signs shall comply with Chapter 543, On-Premise Signs of the zoning code. All signage requires a separate permit from CPED.
5. The applicant shall provide information about the size and height of the rooftop mechanical equipment and a sightline study to confirm that the building itself will screen it from the public street.
6. The final lighting plan shall conform to the standards of Chapter 535, Regulations of General Applicability.

**B. Preliminary and Final Plat.**

**Action:** The City Planning Commission **approved** the preliminary and final plat application to create one lot.

**C. Vacation.**

**Action:** The City Planning Commission **approved** the vacation to vacate the east-west alley between Chicago and Elliot Avenues, south of E 54th St.

[5401 Chicago Ave staff report](#)

**Yea:** Alper, Baxley, Campbell, Conley, Ford, Koski, Meyer, Olson

**Nay:** None

**Absent:** Abdi, Marwah

9. **1823, 1827, 1831, 1835 and 1839 Bryant Ave N, Ward 5**

**City Staff:** Hilary Dvorak, PLAN15736

The City Planning Commission adopted staff findings for the applications by Timothy Baylor with JADT Development Group for the properties located at 1823, 1827, 1831, 1835, and 1839 Bryant Ave N:

**A. Rezoning.**

**Action:** The City Planning Commission recommended that the City Council **approve** the petition to rezone 1839 Bryant Avenue North from the R4 Multiple-family District to the R5 Multiple-family District and removing the TP Transitional Parking Overlay District.

**B. Rezoning.**

**Action:** The City Planning Commission recommended that the City Council **approve** the petition to rezone 1823, 1827, 1831, and 1835 Bryant Avenue North from the R2B Multiple-family District to the R5 Multiple-family District.

**C. Rezoning.**

**Action:** The City Planning Commission recommended that the City Council **approve** the petition to rezone 1823, 1827, 1831, 1835, and 1839 Bryant Avenue North from the BFI3 Interior 3 Built Form Overlay District to the BFC6 Corridor 6 Built Form Overlay District.

**D. Variance.**

**Action:** Notwithstanding staff recommendation, the City Planning Commission **approved** the variance to increase the maximum lot coverage from 70 percent to 79.4 percent.

**E. Variance.**

**Action:** Notwithstanding staff recommendation, the City Planning Commission **approved** the variance to reduce the front yard setback along Bryant Avenue North from the established 30 feet to a distance between zero and 27 feet.

**F. Variance.**

**Action:** Notwithstanding staff recommendation, the City Planning Commission **approved** the variance to reduce the north interior side yard setback from 11 feet to a distance between eight-and-a-half and 12 feet.

### **G. Variance.**

**Action:** Notwithstanding staff recommendation, the City Planning Commission **approved** the variance to reduce the rear yard setback from nine feet to a distance between six and 23 feet.

### **H. Site Plan Review.**

**Action:** Notwithstanding staff recommendation, the City Planning Commission **approved** the site plan review for a new, five-story, 79-unit residential development with 53 enclosed parking spaces.

**Applications D-G** were approved based on the following finding and the findings contained in the staff report:

We find that there are practical difficulties unique to the site related to the lot coverage and setback variance requests. The context of the block shows both residential and nonresidential structures along Bryant Avenue North with differential building setbacks. The applicant has designed the building so the massing of the building is located closest to the nonresidential structure to the north, which is located up to the front property line along Bryant Avenue North, and the adjacent public alleys.

[1823-39 Bryant Ave N staff report](#)

**Yea:** Alper, Baxley, Campbell, Conley, Ford, Koski, Meyer, Olson

**Nay:** None

**Absent:** Abdi, Marwah

## **Election**

### **10. Nominations for Chair, Vice-Chair, and Secretary.**

Alyssa Olson was nominated for President.

Bill Baxley was nominated for Vice President.

Aneesha Marwa was nominated for Secretary.

No other nominations were made at the meeting.

Elections will take place at the Feb 21, 2023 meeting.

## **Adjournment**

The meeting adjourned at 6:38 p.m.