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Citizens for a Loring Park Community

**Land Use Committee**

Monday, April 25, 2011

Loring Park Office Building (430 Oak Grove), Room 207

**Attendance:** Dick Sandberg (1201 Yale Place), Jan Sandberg (1201 Yale Place), Paul Hinderager (Summit House), John Van Heel (110 West Grant), Brad Conley (MCTC), Anita Foster (CPED Intern), Roy Williams (Hennepin Methodist Church), Pam Lehan (Woman's Club), Larry Kehias (Summit House), Janine Jelks-Seale (110 West Grant), Gary Gliem (Summit House), Michael McLaughlin (Loring Business Association), Mike Marn (Summit House), Neil Reardon (Laurel Village), Bret Rogers (Greco Development), Gretchen Camp (BKV Group), David Motzenbecker (BKV), Tom DeAngelo (Business/Architectural Alliance), Rick Simons (Cathedral of St. Mark's) Shelly Bina(resident/Mansion owner), Beth Elliott (City Planning staff), Peter Musty (Consultant), and Jana Metge (CLPC Coordinator).

**I. Call to Order**—Neil Reardon, CLPC Land Use Committee Co-Chair

Neil called the meeting to order at 6:37 p.m. and led introductions of those in attendance.

**Motion: That the CLPC Land Use Committee approves the agenda for April 25, 2011.** *M/S/C Brad Conley/John van Heel. Motion passed.*

*Tabled the minutes from March 28, 2011 as they have not been posted on the website for review.*

**Announcements**

- Jana distributed agenda & program from the April 14 Transportation Panel #2,
- **Loring Theater** will hold a **Beatles Tribute** in conjunction with **Brit's Pub**. For more information see [http://www.loringtheater.com/Loring\\_Theater/Whats\\_On.html](http://www.loringtheater.com/Loring_Theater/Whats_On.html)
- **Master Plan Steering Committee** – Wed., April 27th; 6:30-8:30 p.m. @ Loring Park Community Ctr. - TOPICS: Synthesis of Discovery Phase-Plan Development
- **Downtown Court Watch** – Fri., May 6th - 10 a.m.- Noon – Downtown Library
- **Saturday, May 14th** – Master Plan Community Design Workshop #4 – 9:00 a.m.- 12:00 p.m. Hosted by Wesley Church on 1st Avenue, next to the Convention Center. DISCUSSION: Concepts for the Loring Park Neighborhood Master Plan.
- **KBEM Jazz Concert** at Loring Theater – May 19th – Free Event for Loring Park!!
- **Loring Park Acoustic Music Festival** – Sat., June 11th – Noon to 8 p.m. @ Loring Park! Features an OPEN HOUSE for the Loring Park Neighborhood Master Plan – Preliminary Plan Review
- The Park entrance and bike path graphics were displayed, with handouts.
- The Walker's **Rock the Garden** is Saturday, June 18, 2011 from 3-11 p.m.
- Jana reminded attendees that there will be a celebration of the life of Robert Cook on Saturday, May 14 at Lakewood Chapel at 2:00 p.m.

Question was raised regarding Board action on March Land Use Lund's motion, Jana reported that the Board supported unanimously the Committee motion that "CLPC support the concept as presented of the Lund's proposal." Lunds will be back at the May Land Use meeting. Lunds is going to the Historic Preservation Commission in May, possibly the 10<sup>th</sup>. Jana will notify members of the date. Lunds also goes to the Planning Commission Committee of the Whole on Thursday, Room 319, City Hall at 4:30 p.m..

Peter Musty spoke about the May 14<sup>th</sup> meeting. It is our 4<sup>th</sup> Community Design Workshop. He briefly reviewed the 3 Community Workshops held to date. Part of the May 14<sup>th</sup> meeting will review the public process to date, provide the community a chance to "check in" on the work of the Steering Committee, and a discussion on evolving Concept and Policies. There will be a chance for the community to impact and direct the design of the plan and future work.

## **II. 6:45-7:05 p.m. B4N Zoning** – Beth Elliott, Minneapolis City Planner for Loring Neighborhood

A new Downtown Zoning District is being proposed to implement various adopted small area plans. The B4N Downtown Neighborhood District is being established to provide an environment that promotes the development of higher density neighborhoods surrounding the Downtown office core with a variety of goods and services to support Downtown living. City staff would like to provide background and receive feedback on how it is proposed to be used in the Loring Park Neighborhood.

Beth explained that following adoption of a master plan and its policies, the next step in the procedure of implementation is the requirement of a rezoning study. Beth distributed a handout titled "Downtown Zoning Study." Other information about the study is at:

[http://www.ci.minneapolis.mn.us/cped/downtown\\_rezoning.asp](http://www.ci.minneapolis.mn.us/cped/downtown_rezoning.asp)

In working with the North Loop plan, the City performed a study to create a new zoning district that could be used throughout downtown and would incorporate a height limit where Downtown zoning districts currently only regulate by Floor Area Ratio. **On May 4 at 5:00 p.m. there will be a community meeting at in Elliot Park (North Central University Centennial Hall, 725 South Tenth Street) to discuss the proposal.**

The new B4N district is intended to be used in downtown neighborhoods including North Loop, Elliot Park, Downtown East/West, and Loring Park. B4N incorporates a ten-story limit and uses more consistent with Downtown neighborhoods (for example, no auto uses, night clubs, or strip clubs). There are no minimum parking requirements. It is up to the Developer and their marketing analysis to provide the parking they believe they need. Some parts of downtown need height flexibility (e.g. near the Metrodome and in Elliot Park with Skyscape and Grant Park). Creating a new zoning district is controversial because folks want to first see where it will be applied. Beth said that they will do a full zoning study on the Loring Park Neighborhood after CLPC completes its Master Plan and it is approved by the City of Minneapolis and Met Council.

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Beth reported that the last time a new zoning district was created was in 1999. For Loring Park, B4N will help provide transition from Hennepin Avenue Theatre District and Downtown. It is defined as transitional neighborhood zoning stepping into neighborhoods from downtown. This zoning will be another tool in the toolkit that developers can ask for and utilized. It will be backed up in Loring Park with a full zoning study post the Master Plan approvals. Nearly all of the uses in the Harmon District would be allowed per the Harmon Historic District Guidelines. Beth did review that the current Fawkes block zoning, C3A does permit nightclubs.

Committee member questions and Beth's responses:

- How are height or use needs handled now? There is the ability for the developer to apply for conditional use permits.
- Why was 1201 Yale Place not included as Laurel Village is? Areas proposed are mostly because of the existing height of buildings. It was stated that if Laurel Village had a fire and needed to be re-built, the owner could apply for a CUP for additional height with this B4N zoning.
- Liquor store distance requirements? Beth will check on this.
- Could this affect zoning for the other Eitel property? Yes, through the Planning Commission or City Council action. There could be many areas in Loring Park that this new zoning may apply to once the Master Plan process is completed. It could be a fit for Nicollet Ave. as well, depending on the outcome of the Master Plan planning. **City staff are aiming for a June 13<sup>th</sup> Public hearing on this proposed zoning at the Planning Commission.**

Beth would be happy to come back at the May Land Use meeting to review comments from the May 4, 2011 Public meeting. She will be looking for a letter of support from CLPC. This will be on the May Land Use agenda for action.

**III. 7:05-7:45 p.m. - 401 Oak Grove proposed Development** – Bret Rogers (Greco Development), Gretchen Camp (BKV Group), David Motzenbecker (BKV) -

A meeting was held on Wednesday, April 13<sup>th</sup> with the surrounding neighbors of the site hosted by Architectural Alliance per request at the March Land Use meeting. Request tonight is for the Development Team to present site elevations and any alterations to their plan based upon the April 13<sup>th</sup> Meeting. A "Parking Solutions" roundtable will be held in May. If interested, contact CLPC @ 874-9002.

The Development Team briefly described their history with the neighborhood, past development projects/experience, and a brief overview of this specific project including the March Land Use meeting and the neighborhood meeting on April 13<sup>th</sup>. Their agenda this evening is to show the evolution of the plan which is very much a work in progress. They plan to present the ideas to the Planning Commission Committee of the Whole (COW) this week, Thursday, April 28<sup>th</sup>, 4:30 p.m. at City Hall; Room 319. It is a Public Meeting, but not a Public Hearing. Attendees invited to sit in a listen, but it is a work session between the Project, Team, City Staff, and Planning Commissioners. All Planning Commissioners are on the Committee of the Whole.

Graphic: Site plan including property line and setbacks. Note that the OR-3

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zoning allows 84' of height and 143 units. They plan for 120 units, 80-83 feet, with 1:1 parking below grade. Currently, the parking entrance would be across from the Woman's Club driveway entrance.

Graphic: Perspective views from the corner of Oak Grove and Clifton. While they are still taking photos of the neighborhood, they have already noticed the terraced nature of the neighborhood which shows in this graphic as incorporated in the building design. The building progresses from two-story brownstone entries along Oak Grove, then steps back and up. The exterior will incorporate stone and glass. The main entrance will be on the corner of Clifton and Oak Grove. The brownstones are intended to provide pedestrian-level character. Another graphic from south on Clifton back toward Loring Park also shows the configuration. A final perspective graphic shows the brownstones from Oak Grove. A graphic of the site section shows the relationship of the building to the site moving up the hill. A landscape visioning graphic displayed elements of pocket parks and storm water alleviation. There is a 16' grade change down the street. The graphics also displayed a community gathering place for building residents on the south side of the development, in the middle of a U-shaped building design.

Since parking is a big concern, they hired RLK to conduct a parking demand study of the neighborhood. Plans are to use the Walker Ramp for the 430 office building as that ramp is underused. The building owner has offered to pay for the tenant parking at this ramp. Project Team offered to meet with several parties (Woman's Club, St. Mark's, Hennepin Methodist) to discuss parking. Committee discussion that there needs to be a shared process to plan for parking. This has been identified as a feature to be articulated in the Loring Park Neighborhood Master plan. Committee members interested in creating a parking solution, were encouraged to attend the Community Design Workshop on Sat., May 14<sup>th</sup> hosted by the Wesley Church from 9:00 a.m.- Noon.

Committee member questions and presenter responses:

- The Woman's Club offered to swap their parking lot for development with the 401 site at the recent impacted stakeholders meeting. Was this presented to the Owner? What did he say? NA - There needs to be follow up on this proposal.
- Why has there been nothing addressed about adding additional parking? There may be a need for more than 1:1 parking for the building. There is no where in the neighborhood for guests to park as well, and at market rate, it is doubtful that guests of tenants will drive the neighborhood looking for parking, therefore, units may be difficult to market.
- Were comments from last meeting recorded? Jana stated that the notes from that meeting were distributed to those in attendance at that meeting and are available on request for CLPC to email out.
- Has input from the last meeting has changed the presentation tonight? The presenters are waiting to get feedback tonight and at the upcoming COW meeting before making any additional changes.
- What will they take to COW? They see COW as another group for feedback and feel they are near the end of collecting comments.

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- What about doing away with a corner park as mentioned from the last meeting, stretch out the development proposal, thus reducing the height of the project? They have not revised plans as yet.
- Do they have a response to the neighborhood's reaction at the impacted stakeholders' meeting. It was articulated tonight that input at this meeting was overwhelmingly negative to anything more than a three-four story building. No comment from the Project Team.
- What about the crowding of the mansions next door and the individual entrances that do not seem to be characteristic of the Hill and may not add to the design? No response at the time, nor reflection in the current drawings tonight.
- Who owns the property title of 401 Oak Grove? Continental Properties Group; Greco is the owner's representative.
- What kind of permits are needed? There will be a site Plan review, conditional use permit (CUP) for height (due to Shoreland overlay restrictions) and CUP for use (multi-family over five units).
- What is the total height and guest parking? 82-3' with at least three stalls for guest parking.
- What will be the use of the storm water gardens? They need to figure out how to use the gardens to accommodate the roof water.
- Parking issues are the biggest challenge as the office building's tenants and clients may have different requirements.
- Why so tall? To maximize the value of the land and build as tall as stick framing allows. It is still 15% under the allowed density.
- Why are the guidelines developed five years ago not being followed? They feel that they are complying with the guidelines in many ways but not with all of them.
- Why no changes for tonight? They are still collecting feedback including that from the City. They will make changes but probably not all of those suggested by the neighborhood.
- Projected date for changes? They will come back to the May Land Use meeting. Jana invited participation at the May 14<sup>th</sup> Master Plan Community Design Workshop for future discussion/solutions on Loring Hill parking needs.
- Type of units? 70 percent one BR and studios (20 percent studios), 30 percent two BR and larger. Average size of 850 sq ft.
- What is the shaded gray area? The south-facing private courtyard is designed to bring light into the back units. It was noted that one suggestion at the impacted stakeholders' meeting was to bring the courtyard to the front of the project, to be a "Gateway to Loring Hill", but tonight, the drawings show this area on the south side of the project.
- It was stated that it is unrealistic to think that folks will travel from the Vineland Ramp to the 430 Office building or to St. Mark's, especially the clients of the 430 Office building tenants.
- One member stated that he understands that height is a financial decision but it is very harsh to walk up the hill and get hit with the façade of the building. Seems aggressive, bulky, and this is part due to height.
- Such a large building will increase traffic and will make street crossing and

- sight lines in this area even more difficult.
- Is the back patio a private area or for a rain garden? The public gathering place will be on the side. The back is a private patio for building tenants, but it could have a rain garden feature.
  - Stated that something should be developed here but this seems like too much. Parking is a problem along Clifton right now. Three guest spots seem like too few.
  - Sizes for apartments? Alcove will be about 550 sq ft, \$1000-1200 rental; One BR -- 650-850 sq ft, \$1,250-\$1,850. Two BR--900-1,200 sq ft \$1,800-2,400 rental. Each unit will have an Individual laundry.
  - Without more guest parking the units will not be rentable.
  - From previous meetings (CLPC April Board Meeting and impacted stakeholder meeting), the garage entrance across from Woman's Club was not met with approval, it was suggested and preferable to have the parking garage entrance be from an alleyway on the east side, similar to the adjacent 333 Oak Grove building.
  - How tall are neighboring buildings? 301 Oak Grove is about 70'; Park Terrace is 7.5-8 stories on the Oak Grove side; Summit House is 20+ stories. Neighboring building height would be part of a context study. But, the site is surrounded by Historic Mansion now under City of Minneapolis research and/or already received Heritage Preservation Commission and City of Minneapolis approval for Historic Designation. Concern was expressed for the negative economic impact on these surrounding historic properties beside, behind, and around the 401 site. It was strongly expressed that a development this tall and bulky would decrease property values of the surrounding buildings, not enhance them.
  - Size of the existing parking lot at 401 Oak Grove? 100 cars.
  - Statements were made stating that the sharpness at the corner needed to be softened, and the area be a Gateway.
  - Statements were made that the development would overshadow the surrounding historic properties.
  - Statements were made that committee members were concerned that there had been no changes from the concepts shown at the March Land Use meeting.
  - Concerns expressed as to the economic impact to the surrounding properties, especially with respect to economic harm caused by the size and bulk of this development.
  - The Loring Hill Design Guidelines recognized several districts complete with design principals and features. These guidelines are available for review on the CLPC website – [www.loringpark.org](http://www.loringpark.org)

The Planning Commission's Committee of the Whole is in Room 319 City Hall at 4:30 p.m. on Thursday, April 28, 2011. This is a public meeting without public comment. Comments from the neighborhood meetings to date are not included unless the developer puts them into the packet. Jana will forward meeting notes to City Planning staff and Councilmember Goodman.

NOTE: there was additional discussion of this topic later in the meeting.

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#### **IV. 7:45-8:00 p.m. - Loring Park Master Plan – John/Jana**

Goals for the Master Plan will be distributed and have been sent via email. Please read them and think about whether or not these are the Goals for our plan, as stated, and come prepared to discuss if you have other thoughts at the Wed., April 27<sup>th</sup> Master Plan Steering Committee meeting hosted by Loring Park Community Center from 6:30-8:30.

Print outs of the draft Master Plan Goals were not available.

A member asked whether the Loring Hill Guidelines constituted a small area plan as advertised. They were not, only guidelines, there was not enough funding at the time to complete all of the elements required by the City for a Small Area Plan. That is what we are doing now with our Master Plan effort, funded by NRP Phase II funds and a part of that approved plan.

A member said that he heard that the Loring Hill Guidelines were being incorporated into the Master Plan. Could this part of the Master Plan be fast tracked? Peter said that there has been nothing in the public process that conflicts with the Loring Hill Guidelines to date, the public process has validated these guidelines.

Questions to Beth Elliot, City Planner—

- Do the Loring Hill Guidelines contain enough information to trigger a zoning study? Beth said the guidelines addressed design issues, but have little included about uses—both are needed for zoning decisions.
- Time required for rezoning study? Beth said that a study takes a few months if the public process has been followed. But things are usually on her work plan a year or so in advance and a zoning study for Loring Park neighborhood is on her workplan for next year.
- Why is B4N being pushed now, especially in the Harmon Area? Why were the Loring Hill guidelines not enough for a rezoning study? Beth replied that the guidelines are useful in themselves but they do not mandate a rezoning study. A rezoning study is done because there is enough land use, transportation, design and other elements to drive rezoning. It is not just about height. Many of the institutional uses require certain types of zoning. However, the design guidelines combined with the Master Plan will give enough information to do the rezoning study. Jana noted that the Master Plan was not prioritized by the City to be paid for from a city budget as done in some neighborhoods and parts of the city, but it was prioritized by the Loring Park Community and funded by NRP Phase II funds.
- Why did the guidelines not constitute a Small Area Plan? Jana said that the guidelines were originally posted as a small area plan but there were two additional components required by the City that we did not have additional funding for. Therefore, we completed Design Guidelines, not a small area plan. We are working on this now through the Master Plan.

Another member noted that zoning is not the panacea for this – anyone can apply for a conditional use permit. The Planning Commission considers four factors when considering a CUP and that decision can be appealed to the City

Council.<sup>1</sup> Designation of properties as historic around a site fits into the criteria of “shading / light and air to adjacent properties”.

A member asked if it is to our advantage to continue a dialogue? Committee member concerns included that it is too early to become adversarial; whether or not the owner is running the process and not BKV, whose work is respected; the question was raised as to whether or not if it would be helpful to have architects involved and volunteering with CLPC to develop a counter proposal and to show an example of what is acceptable to the neighborhood; and to discuss and visualize further whether the extreme juxtaposition of building styles against historic mansions is inappropriate.

One member thought that density is needed for the City, especially so near the urban core, and something may be appropriate here that exceeds three stories.

Peter suggested that the committee directly ask BKV to consider certain components of the Loring Hill Design Guidelines.

In response to a question, Beth described the process for accepting applications and timelines. Once a developer submits an application, city staff has 10 days to review it for completeness per their requirements. If complete, the City has to accept it. Legally, the public/city review of the project is a 60-day process. An extension can be filed for an additional 120 days. Once a decision is made on the project through the City Planning Commission, there is a 10 day appeal period. Anyone can file an appeal. That appeal is then taken directly to City Council. The developer has not submitted an application as yet.

## V. 8:00-8:30 Reports

• **Properties being studied by the Heritage Preservation Commission** – Jana will report on 425 Oak Grove which was in front of the HPC on April 5th and report on upcoming HPC hearing dates for 131 and 337 Oak Grove.

Jana reported that 425 and 141 Oak Grove have been approved by HPC and City Council for historic designation. She will notify members and adjacent properties on the Heritage Preservation Commission public hearings for 131 and 337 Oak Grove. There are staff reports online under the Heritage Preservation Commission for each of the properties, but these may not contain all of the notes and drawings. PDFs may be available, Beth will check into this. A hard copy of the 131 Oak Grove study was passed around for review.

Meeting was adjourned at 8:40 p.m.

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<sup>1</sup> Chapter 546.110 of the Minneapolis Code of Ordinances states: The height limitations of principal structures located in the residence districts, except single and two-family dwellings, may be increased by conditional use permit, as provided in Chapter 525, Administration and Enforcement. In addition to the conditional use standards, the city planning commission shall consider, but not be limited to, the following factors when determining the maximum height:

- (1) Access to light and air of surrounding properties.
- (2) Shadowing of residential properties, or significant public spaces, or existing solar energy systems.
- (3) The scale and character of surrounding uses.
- (4) Preservation of views of landmark buildings, significant open spaces or water bodies.