

Department of Community Planning and Economic Development
Rezoning
BZZ-6415

Date: February 19, 2014

Applicant: Mazel Properties LLC

Address of Property: 2924 Grand Avenue South

Project Name: 2924 Grand Avenue South Rezoning

Contact Person and Phone: Dana Avery, (612) 871-4545

Planning Staff and Phone: Shanna Sether, (612) 673-2307

Date Application Deemed Complete: January 21, 2014

End of 60-Day Decision Period: March 21, 2014

End of 120-Day Decision Period: May 20, 2014 (*Staff sent an extension letter on February 7, 2014*)

Ward: 10 **Neighborhood Organization:** Whittier Alliance

Existing Zoning: R2B Two-Family Residence District

Proposed Zoning: R3 Multiple Family District

Zoning Plate Number: 25

Legal Description: Lot 7, Block 6, EXCELSIOR ADDITION TO MINNEAPOLIS

Proposed Use: Establish an existing multiple-family dwelling with three units in an existing structure

Rezoning: from R2B Two-Family District to R3 Multiple Family District. The purpose of the rezoning is to allow for a three-unit, multiple-family residence in an existing structure.

Applicable zoning code provisions: Chapter 525, Article VI, Zoning Amendments and Chapter 546 Residence Districts

Background and Analysis: The subject property is approximately 40 feet by 128 feet (5,120 square feet) and the use of the property is a three-unit multiple family residence with a detached garage. The City of Minneapolis records indicate that the existing use is a two-family residence. The zoning classification is R2B Two-Family District and a multiple-family dwelling of three units (triplex) is a prohibited use.

The current property owner purchased the property in 1999 with three dwellings. The applicant applied for a certificate of nonconforming use to legally establish nonconforming rights to a three-unit, multiple-family residence in an existing structure located in the R2B Two-Family District, per 531.30 of the zoning code in 2012. The applicant was required to provide proof that the use was legally converted prior to 1963. The certificate of nonconforming use was denied by the Zoning Board of Adjustment July 11, 2013, and city council, on appeal, on November 12, 2013.

The applicant is now applying to rezone the property from R2B Two-Family District to R3 Multiple-Family District to allow for the legal conversion from a two-family dwelling to a triplex.

Staff has received a letter from Whittier Alliance referencing the rezoning request and stated their support instead for the certificate of nonconforming use. A copy of the letter is attached to the staff report. Staff will distribute additional written comments to the City Planning Commission, if any are received, at the public hearing.

REZONING

Findings As Required By The Minneapolis Zoning Code:

1. Whether the amendment is consistent with the applicable policies of the comprehensive plan.

The subject property's existing land use classification is medium-density housing, which is primarily smaller scale multiple-family residential, with 20-50 dwelling units/acre. The proposed legal conversion to a triplex is consistent at twenty-five dwelling units per acre. The property is designated *Urban Neighborhood* on the future land use map of the comprehensive plan. The urban neighborhood classification is predominately a residential area with a range of densities, with highest densities generally to be concentrated around identified nodes and corridors. The subject property is one-half block north of Lake Street East, a commercial Corridor.

According to the principles and polices outlined in *The Minneapolis Plan for Sustainable Growth*, the following policies are relevant to the rezoning:

Land Use Policy 1.8: Preserve the stability and diversity of the city's neighborhoods while allowing for increased density in order to attract and retain long-term residents and businesses.

1.8.1 Promote a range of housing types and residential densities, with highest density development concentrated in and along appropriate land use features.

1.8.2 Advance land use regulations that retain and strengthen neighborhood character, including direction for neighborhood serving commercial uses, open space and parks, and campus and institutional uses.

1.8.3 Direct uses that serve as neighborhood focal points, such as libraries, schools, and cultural institutions, to designated land use features.

Housing Policy 3.6: Foster complete communities by preserving and increasing high quality housing opportunities suitable for all ages and household types.

3.6.4 Provide and maintain moderate and high-density residential areas, as well as areas that are predominantly developed with single and two family structures.

Heritage Preservation Policy 8.8: Preserve neighborhood character by preserving the quality of the built environment.

8.8.1 Preserve and maintain the character and quality of residential neighborhoods with regulatory tools such as the zoning code and housing maintenance code.

The subject property is also governed by the Lyn-Lake Small Area Plan and Midtown Greenway Land Use Plan and Rezoning Study. Both plans call for high-density housing on the subject property. The Midtown Greenway Rezoning Study proposed to rezone the subject parcel to R5 Multiple-Family District; however, the rezoning was not adopted by the city council.

Staff comment: The surrounding area includes a mix of low to medium residential uses, mixed-use, commercial uses and industrial uses. The proposed rezoning will allow for the existing, three-unit building to remain. The applicant is not intending to demolish, remodel or add on to the existing multiple-family structure. The proposed rezoning is consistent with these goals of *The Minneapolis Plan for Sustainable Growth*, the Lyn-Lake Small Area Plan and Midtown Greenway Land Use Plan and Rezoning Study.

2. Whether the amendment is in the public interest and is not solely for the interest of a single property owner.

The amendment is in the public interest, as it will bring the property into alignment with adopted policy. The surrounding area includes a mix of low to medium residential uses, mixed-use, commercial uses and industrial uses. The proposed use will allow for the legal conversion and continued use of the three-unit multiple-family dwelling.

3. Whether the existing uses of property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification, where the amendment is to change the zoning classification of particular property.

The nearest zoning district that would allow a multiple-family residence is approximately one-half block to the north at 2848 Grand Avenue South (R5 District), one-half block south at 2948 Grand Avenue South (C2 District) and a third one-half block to the east at 2912 Pleasant Avenue (R5 District). The zoning on the block and across the street includes R2B Two-Family District, I1 Light Industrial District, C2 Neighborhood Corridor Commercial District and C4 General Commercial District. Given the surrounding uses and zoning classifications, the amendment of this zoning classification to R3 is compatible with the immediate area.

4. Whether there are reasonable uses of the property in question permitted under the existing zoning classification, where the amendment is to change the zoning classification of particular property.

The subject property has been used as a triplex since at least 1999, when the applicant purchased the property. The applicant was denied a certificate of nonconforming use to allow for the existing triplex. The structure has three stories and a three-car garage. Under the current zoning, the property could be a legal two-family dwelling with approximately 4,478 square feet of gross floor area. Staff finds that there is reasonable use of this property as either a duplex allowed in the R2B District or triplex with the proposed R3 District.

5. Whether there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its present zoning classification, where the amendment is to change the zoning classification of particular property.

From 1924, the first year the City of Minneapolis had a codified zoning ordinance, to 1963, the property was zoned Light Industrial with E-Density, which would have had a lot area requirement of one dwelling per 400 square feet of lot area. A three-unit, multiple-family residence was a permitted use from 1924 to 1963. The property was rezoned to R3 Multiple-Family District with the adoption a new zoning code in 1963. The minimum lot area requirement per dwelling in the R3 District in 1963 was 2,500 square feet. The parcel would have required a minimum lot area of 7,500 square feet to allow for a three-unit building. The parcel is approximately 5,120 square feet of lot area. A three-unit, multiple family residence would not have been allowed, even with the maximum 20% variance allowed. In 1991, the R3 Rezoning Study rezoned the subject parcel to R2B Two-Family District and has been zoned R2B since. A three-unit, multiple family residence was a prohibited use in the R2B District.

The surrounding area includes a mix of low to medium residential uses, mixed-use, commercial uses and industrial uses. The character or trend in development of the area has not changed significantly. The proposed rezoning will allow for the continued use of the three-unit building. Staff finds that the proposed amendment will be in character and consistent with the surrounding area.

RECOMMENDATIONS:

Recommendation of the Department of Community Planning and Economic Development for the petition to rezone:

The Department of Community Planning and Economic Development recommends that the City Planning Commission and City Council adopt the above findings and **approve** the petition to rezone 2924 Grand Avenue South from the R2B Two-Family District to the R3 Multiple Family District.

Attachments:

1. Written descriptions and evidence submitted by the applicant
2. Letters to Council Member Bender and Whittier Alliance
3. Letter from Whittier Alliance

Department of Community Planning and Economic Development Report
BZZ 6415

4. Zoning map
5. Rezoning matrix
6. Site plan
7. Floor plans
8. Applicant's evidence
9. Photos

MAZEL PROPERTIES, LLC

January 15, 2014

To Whom It May Concern,

Re: 2924 Grand Ave S, Minneapolis, MN

This is a statement of proposed use and description of the project for this property.

We propose to apply for rezoning for the property on 2924 Grand Ave S from R2B to R3. We would like the existing triplex that is on that property to remain a triplex and to meet the city of Mpls codes and ordinances and create a lawful occupancy for this building.

Thank you for your attention in this matter,



Dana Avery
Mazel Properties, LLC

MAZEL PROPERTIES, LLC

January 15, 2014

To: Whittier Alliance Community Issues

Re: 2924 Grand Ave S, Mpls, MN 55408

Dear Whittier Alliance Community Members,

We are applying for a rezoning of the property on 2924 Grand Ave S, Minneapolis, MN from a current zoning of R2B to R3. We feel that an R3 zoning for this property will not inhibit the quality or integrity of the neighborhood. On the property there is a beautiful three story cedar building with beautiful architectural design. We believe the surrounding areas will benefit from this rezoning as more residents will reside within walking distances to surrounding stores and commercial businesses. The property is close to the greenway and should be considered for rezoning to R3.

We hope you can agree with us in this matter and support this stand alone case for changing our property zoning from a R2B into a R3.

Thank you for your attention in this matter. We greatly appreciate it.

Sincerely,



Dana Avery
100 W Franklin Ave # 100
Minneapolis, MN 55404
612-871-4545
dana@spaceunlimited.com
Mazel Properties, LLC

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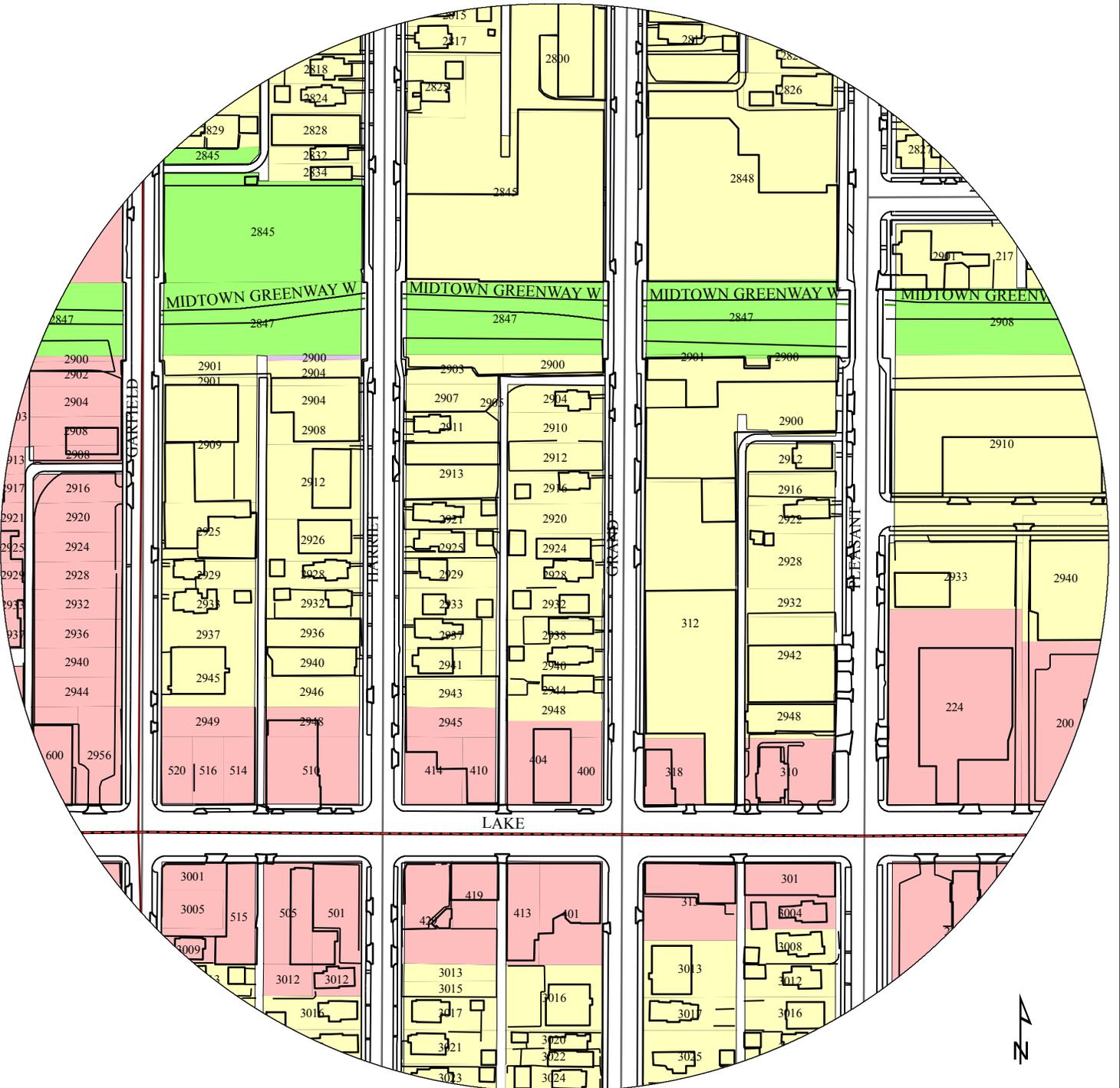
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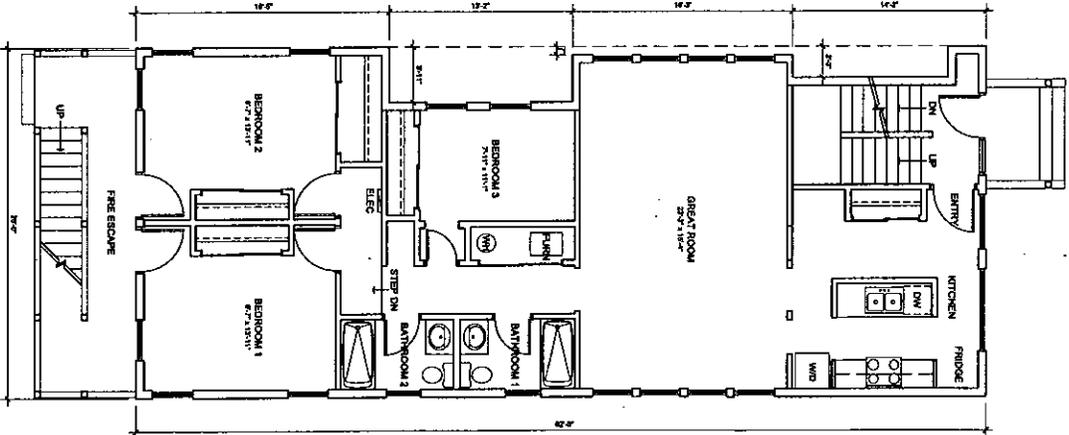
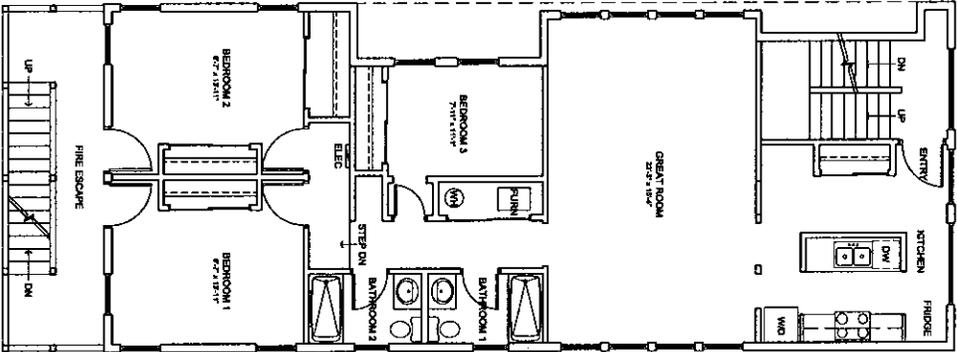
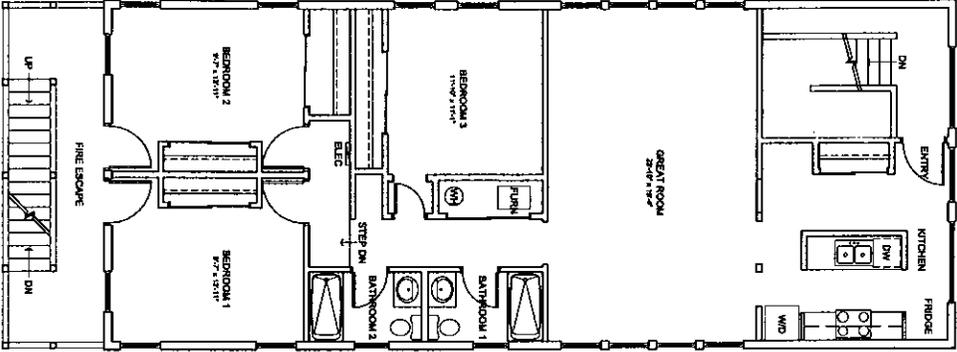


	Single- and Two- Family Districts R2B	Multiple Family Districts R3
	Two-Family District	Multiple Family District (Medium Density)
FAR		
Base FAR Maximum	0.50	1.00
20% bonus for enclosed, underground or structured parking	n/a	0.20
20% bonus for 50% ground floor commercial	n/a	n/a
20% bonus for 20% affordable units	n/a	0.20
Total possible FAR	0.50	1.40
Required lot area per dwelling unit (sq. ft.)	5,000	1,500
Possible DU Bonuses:		
20% bonus for enclosed, underground or structured parking		Y
20% bonus for 50% ground floor commercial		
20% bonus for 20% affordable units		Y
Base building height maximum (in stories)	2.5	2.5
Maximum size of retail store (sq. ft.)	0	0
Maximum Lot Coverage	50%	50%
Maximum Impervious Surface Coverage	65%	65%
Yard Requirements		
Front	20	20
Interior side or rear ¹	5 (+2X) ¹	5 (+2X) ¹
Corner Side	8 (+2X) ¹	8 (+2X) ¹
Drive-through permitted?	N	N

Notes:

1 - (2X) is added for uses that are not SFDs, 2FDs, or CRFs serving 1-6 persons

2 - For residential uses and hotels

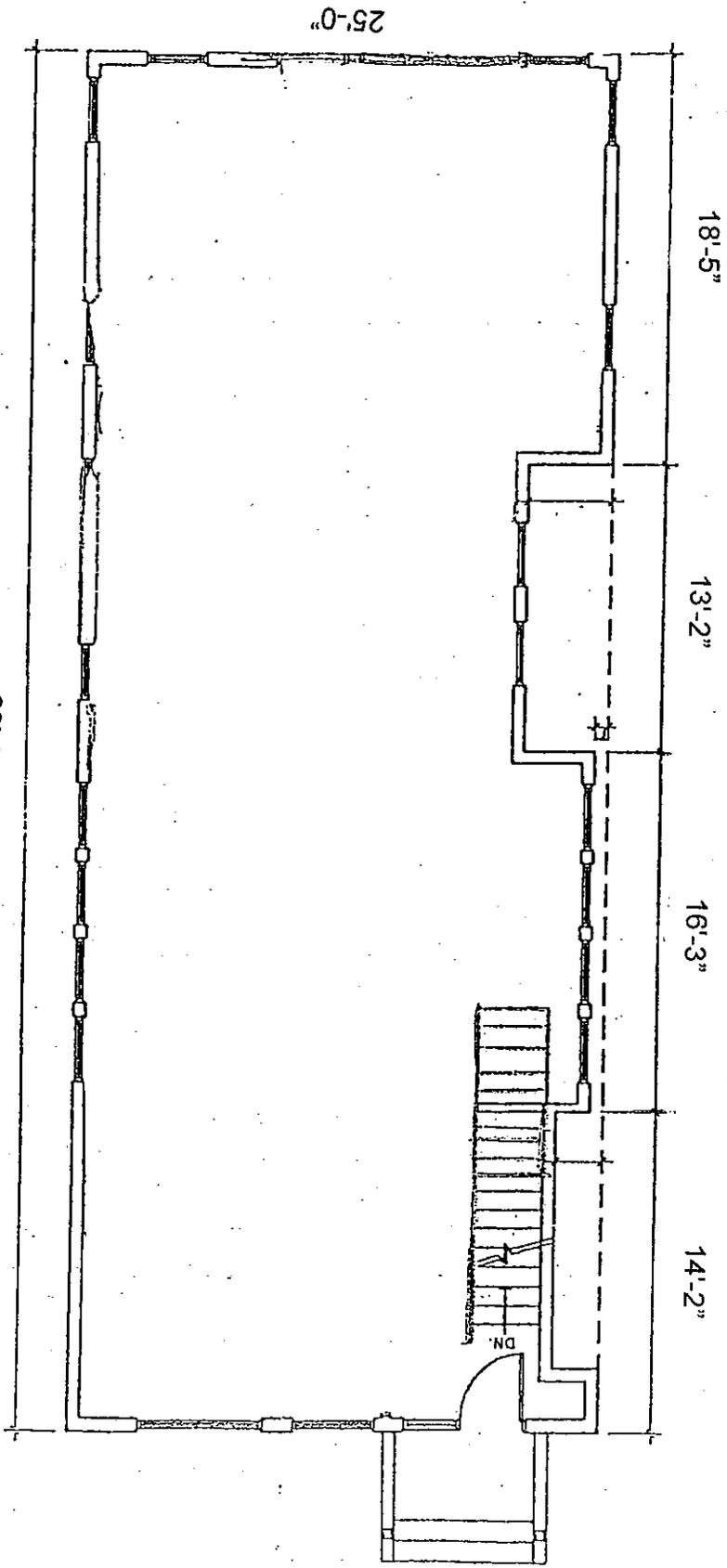


A100	2924 GRAND AVENUE S.	
	MINNEAPOLIS, MN	
	FLOOR PLANS	
	PROJECT NO.	-
	DATE	2-4-12
DESIGNED BY	DN	
CHECKED BY	DN	
SCALE	-	

Architectural Design
2924 Grand Avenue S.
Minneapolis, MN 55408

PROJECT NO:
SCALE:
DATE:
DRAWN BY:

2924 GRAND AVENUE S.
MINNEAPOLIS, MN
FLOOR PLANS



BASEMENT

1/8" = 1'-0"

1464 GROSS SF

Alina Devlin and
Interior Design Co.
1127 W. 5th St.
Minneapolis, MN 55401
612.339.2623





CALLER ONLY



CALL 800-368-3688







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A photograph of a narrow alleyway between two houses in winter. The house on the right is dark brown wood siding, and the house on the left is light brown siding. A white picket fence runs along the front of the dark house. Snow is on the ground, and a bare tree is in the foreground.

