

# CPED Planning Division Report

Rezoning Application (BZZ-1636)

**Date:** April 8, 2004

**Date Application Deemed Complete:** March 12, 2004

**End of 60-Day Decision Period:** May 11, 2004

**Applicant:** Ron Nguyen, 2278 128<sup>th</sup> Court NE, Blaine, MN 55449

**Address of Property:** 5841 28<sup>th</sup> Avenue South

**Contact Person and Phone:** Gary Courtney, Willis & Courtney Associates, 2521 Bryant Avenue South, Minneapolis, MN 55405, 612-879-6849

**Planning Staff and Phone:** Becca Farrar, 612-673-3594

**Ward:** 12    **Neighborhood Organization:** Nokomis East Neighborhood Association – Wenonah

**Existing Zoning:** R1A (Single-family District)

**Proposed Zoning:** R4 (Multiple-family District)

**Zoning Plate Number:** 39

**Legal Description:** Lot 20, Block 4, Morris Park 4<sup>th</sup> Addn to Mpls

**Lot Area:** 5,120 square feet or .12 acres

**Proposed Use:** Petition to rezone the subject parcel from the R1A (Single-family) district to the R4 (Multiple-family) district. The applicant proposes to convert an existing single-family dwelling unit to a three-family dwelling unit or triplex.

**Appropriate Section(s) of the Zoning Code:** Chapter 525, Article VI Zoning Amendments

**Background:** The applicant, Ron Nguyen, is proposing to rezone his property from the R1A (Single-family) zone district to the R4 (Multiple-family) zone district. He proposes to convert an existing 2-story, 2,184 square foot single-family dwelling unit into a rental three-family dwelling unit (triplex). The construction of the dwelling unit was recently completed in November of 2003. In its current configuration as a single family dwelling unit, there are five bedrooms, two bathrooms and two kitchens. The floor plan and mechanical units were designed and installed to accommodate multiple families. The applicant proposes to convert each level of the dwelling unit, including the basement, into separate living units.

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The R4 zone district requires a minimum lot area of 5,000 square feet or 1,500 square feet per dwelling unit, whichever is greater. In this specific circumstance, 5,000 square feet would be required. The subject parcel is approximately 5,120 square feet in size. The proposed on site landscaping is approximately 2,540 square feet, or approximately 49.6% of the square footage of the lot. The proposed landscape materials are exclusively sod, as no shrubs or trees are proposed for the site. Should the rezoning be approved, the property would be able to meet all applicable R4 zone district regulations for a three-family dwelling unit. No variances would be required.

The applicant believes that by providing housing opportunities for multiple families, the property adds vitality to the highly sought after and respected Nokomis neighborhood. The subject lot was vacant prior to purchase by the current owner. The applicant believes that the construction of the home is a plus for potential tenants, existing neighbors and the city as a whole.

**Findings As Required By The Minneapolis Zoning Code for the Rezoning Application:**

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

*The Minneapolis Plan* shows this site as located in a Low-Density Residential area. Policy 4.14 of *The Minneapolis Plan* states that “Minneapolis will maintain the quality and unique character of the city’s housing stock, thus maintaining the character of the vast majority of residential blocks in the city.” Furthermore, the plan states in Policy 9.8 “Minneapolis will maintain and strengthen the character of the city’s various residential areas.” It is Staff’s position that the rezoning application does not conform with the above listed applicable policies of the comprehensive plan. The rezoning of the subject property to the R4 zone district may set precedent for future rezonings in the neighborhood which could alter the character as well as the density of the existing neighborhood.

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

The rezoning is in the interest of the applicant. It will allow the applicant to convert the existing single-family dwelling unit to a rental, three-family dwelling unit.

**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 existing uses in the general area are predominantly single family residential dwelling units. The area is completely surrounded by R1A zoned properties which permit single family residential units. There are no R4 zoned properties in the vicinity, however, there is an area northeast of the subject site, across (on the north side) Highway 62 that is zoned R5.

**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 site could be utilized as a single-family residential dwelling under the R1A zoning classification.

**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.**

Within this area of Minneapolis there has not been a significant change in zoning or in the type of development. The neighborhood has been predominantly and still remains a low-density residential neighborhood. The property was formerly vacant and a single-family dwelling was constructed and completed in 2003.

**Recommendation of the CPED Planning Division:**

**REZONING**

The Community Planning and Economic Development Department recommends that the City Planning Commission and City Council adopt the above findings and **deny** the rezoning application from the R1A district to the R4 district for property located at 5841 28<sup>th</sup> Avenue South.