



**Request for City Council Committee Action
From the Department of Community Planning & Economic Development**

Date: August 12, 2004

To: Council Member Gary Schiff, Chair, Zoning & Planning Committee and Members of the Committee

Prepared by: Jim Voll, City Planner, (612) 673-3887

Approved by: Barbara Sporlein, Director, Planning

Subject: Moratorium Waiver.

Previous Directives: None.

Financial Impact: Not applicable

Community Impact:

Ward: 4

Neighborhood Notification: The Jordan Neighborhood was notified of the application by a letter dated July 19, 2004. As of the writing of this report, staff has not received any written comments from the neighborhood group.

City Goals: See staff report

Comprehensive Plan: See staff report

Zoning Code: See staff report

Living Wage/Job Linkage: Not applicable

Other: Not applicable

Background/Supporting Information: Please see attached staff report.

Department of Community Planning and Economic Development - Planning Division
Waiver From Moratorium Application
BZZ - 1878

Date: August 12, 2004

Applicant: John Baker

Address Of Property: 2647 Russell Avenue North

Contact Person And Phone: John Baker 612-588-3651

Planning Staff And Phone: Jim Voll 612-673-3887

Date Application Deemed Complete: July 20, 2004

End of 60 Day Decision Period: September 18, 2004

Ward: 4 **Neighborhood Organization:** Jordan

Existing Zoning: R1A Single-family Residential District

Reason For Waiver: To allow the construction of a new single-family home on the lot at 2647 Russell Avenue North in the moratorium area that is defined as that part of north Minneapolis north of West Broadway to the Mississippi River and to the city limits.

Background: John Baker plans to build a house on the vacant lot at 2647 Russell Avenue North. The City Council has approved a moratorium on the construction of new single-family dwellings, two-family dwellings, and multiple-family dwellings of three and four units in the area of north Minneapolis bounded by West Broadway Avenue and the Mississippi River north to the city limits, except housing being developed in conjunction with the Community and Economic Development Department. The interim ordinance (Chapter 578) was approved by the City Council on June 18, 2004.

Neighborhood Review: The Jordan Neighborhood was notified of the application by a letter dated July 19, 2004. As of the writing of this report, staff has not received any written comments from the neighborhood group.

Findings:

Section 529.50 of the Minneapolis Code states that, “a waiver may be granted where the City Council finds substantial hardship caused by the restrictions and finds that the waiver will not unduly affect the integrity of the planning process or the purpose for which the interim ordinance is enacted.”

Hardship:

John Baker plans to build a house on the vacant lot at 2647 Russell Avenue North. Mr. Baker is in the process of finalizing the purchase of the land and has secured several vendors to help with the construction, including an architect, surveyors, and a general contractor. A delay at this point could constitute a substantial hardship.

Interference with the purposes of the moratorium:

The city council is concerned about the effects of the design of new single-family dwellings, two-family dwellings, and multiple-family dwellings of three and four units, especially in and near older neighborhoods with low and moderate priced housing. The city council is concerned that the design of some newly constructed housing in these neighborhoods is incompatible with the traditional design of surrounding properties and may detract from the desirability of these areas as places to live. The city council also is concerned that the design of some newly constructed housing in these neighborhoods may negatively affect neighborhood livability and discourage homeownership, maintenance and investment in surrounding properties.

The city council is interested in protecting the livability of the study area by preserving the existing character of its traditional residential neighborhoods. Approximately one-third of the city's total vacant residential lots are located within the study area. Many of these lots are available for residential development at low cost. The city council is concerned about future residential development in the study area without additional design standards for single-family dwellings, two-family dwellings, and multiple-family dwellings of three and four units. The city council is concerned that further development without such design standards could negatively affect existing and future residential development and contribute to neighborhood instability.

As a result of the important land use and zoning issues cited above, the city, through its planning division of the Community Planning and Economic Development Department (CPED), will conduct studies to consider possible amendments to the comprehensive plan or official zoning controls to address the issues of design standards for these residential uses. (Residential developments of five units or more are governed by the standards for conditional use permit and site plan review.)

The houses on both sides of the 4600 block of Russell Avenue North are predominantly of the bungalow style, with varied roof lines of similar pitch. There are examples of other styles on the block and these homes typically have varied roof lines of similar pitch as well. Many of the homes have enclosed porches or vestibules. All of the homes are single-family homes, most with detached garages located at the rear of the property. Most of the homes have windows along almost the entire façade. (Please see the attached photos of the houses). All of the homes are 1½ story houses, except for one the east side of the street.

The proposed home has architectural detail including brick pillars and varied window styles. The building meets the current window requirements of the code and the exterior material will be vinyl siding. The home will have a basement. There is an existing garage at the rear of the site that accesses the alley. While there are many positive elements about the proposed design, it is a 2½ story house that would be taller than the majority of the homes on the block and it is of a different architectural style. In addition, the roof pitch does not match those of nearby homes.

This house is not compatible with the character of the surrounding area. Staff can not determine at this time how or if the new regulations that may be adopted as apart of the moratorium study will apply to this situation, so approving the waiver may interfere with the purpose of the moratorium. Therefore, staff does not recommend granting a waiver.

Recommendation of the Community Planning and Economic Development Department - Planning Division:

The Community Planning and Economic Development Department - Planning Division recommends that the City Council adopt the above findings and **deny** the waiver application for 2647 Russell Avenue North.