

Minneapolis City Planning Department Report
Rezoning, Conditional Use Permit, Site Plan Review and a Preliminary Plat
BZZ-740

Date: August 19, 2002

Applicant: Timbercraft Enterprises, Inc.

Address of Property: 2530 East 34th Street

Project Name: Hiawatha Court Condos

Date Application Deemed Complete: July 9, 2002

End of 60-Day Decision Period: September 7, 2002

End of 120-Day Decision Period: Not applicable

Applicant has Waived 60-Day Requirement: No

Contact Person and Phone: Michael O'Connell, (651) 490-9446

Planning Staff and Phone: Hilary Watson, (612) 673-2639

Ward: 9 **Neighborhood Organization:** Corcoran Neighborhood Organization

Existing Zoning: R1A

Proposed Zoning: R4

Proposed Use: 45-unit for-sale senior condominium building

Concurrent Review:

Rezoning: from R1A to R4

Conditional Use Permit: for a 45-unit senior condominium building

Site Plan Review: for a 45-unit senior condominium building

Preliminary Plat: PL115

Previous Actions: None that are relevant to the proposed development.

Background: The proposed development is located in the Corcoran neighborhood. The development site is located to the north of East 34th Street between Hiawatha Avenue and 25th Avenue South. Located on the same block as the proposed development are 11 single-family dwellings. Currently, this site is vacant.

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The development involves the construction of a four-story, 45-unit for-sale senior condominium building with one level of enclosed parking. In addition there is an outdoor recreation area including a tot lot and a gazebo located to the east of the development as well as 14 guest parking spaces.

Neighborhood Review: The applicant has met with the Corcoran Neighborhood Association's housing committee and has attended the Corcoran Neighborhood Association's general membership meeting. According to the applicant, suggestions from these meetings have been incorporated into the design layout of the development.

REZONING

Zoning Plate Number: 27

Legal Description: Lots 7, 8, 9, 10, 11, 12 and 13 Block 2, Catherine A. Perkins Addition to Minneapolis.

Findings as Required by the Minneapolis Zoning Code for a Rezoning:

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

This site is located in a low-density residential area. The site is located one block west of the Hiawatha Light Rail Transit Corridor and four blocks north of the East 38th street transit stop. The area along the Hiawatha/Minnehaha Corridor has been designated as a major housing site.

In the Marketplaces: Neighborhoods chapter found in *The Minneapolis Plan*, Policy 4.10 states that "Minneapolis will reasonably accommodate the housing needs of all of its citizens."

In the Marketplaces: Neighborhoods chapter found in *The Minneapolis Plan*, Policy 4.15 states that "Minneapolis will carefully identify project sites where housing redevelopment or housing revitalization are the appropriate responses to neighborhood conditions and market demand."

This development will be providing 45 units of for-sale senior condominiums. The 2000 Census indicates that there is a growing number of seniors residing in this neighborhood. This development will allow those seniors the opportunity to move from their single-family homes into a condominium-type situation that does not require any exterior maintenance but still allows them to stay within the same neighborhood.

In the Marketplaces: Neighborhoods chapter found in *The Minneapolis Plan*, Policy 4.17 states that "Minneapolis will promote housing development that supports a variety of housing types at designated Major Housing Sites throughout the city."

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This development is located one block west of the Hiawatha Light Rail Transit Corridor and four blocks north of the East 38th Street transit stop. The area along the Hiawatha/Minnehaha Corridor has been designated as a major housing site. The implementation policies call for higher density housing located near amenities such as transit lines and natural features such as nearby Lake Hiawatha.

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

Staff finds that the rezoning is in the interest of the property owner. Converting this property's zoning from R1A to R4 allows the property owner to construct a 45-unit for-sale senior condominium building. However, a multiple-family development in this location would be in conformance *with The Minneapolis Plan*.

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.

This property is surrounded by several types of dwellings including single-family homes and higher density cluster developments. There are also several commercial and industrial uses located across Hiawatha Avenue from the site. The surrounding area has a mixture of R1A, I1, I2 and I3 zoning. The purpose of the R4 zoning district, as stated in the Minneapolis Zoning Code, is "to provide an environment of predominantly medium density apartments and congregate living arrangements, single-family and two-family dwellings and cluster developments, on lots with a minimum of five thousand (5,000) square feet of lot area and at least one thousand five hundred (1,500) square feet of lot area per dwelling unit. In addition to residential uses, institutional and public uses and public services and utilities may be allowed." Based on the surrounding zoning and the number of higher density cluster developments that have been built along the Hiawatha/Minnehaha Corridor, the Planning Department believes that R4 zoning would be compatible with the surrounding 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 R1A zoning district allows a wide range of uses that could potentially locate here including, single-family homes, institutional and public uses, social, cultural, charitable and recreational facilities, child care facilities, parking lots serving institutional and public uses and public services and utilities uses. However, the R1A zoning district would only allow single-family homes, cluster developments and community residential facilities serving six or fewer people to be built on this site whereas the R4 zoning district allows multiple-family dwellings to be built on the site. Because this site is located in an area where several higher density cluster developments have been built, the Planning Department believes that the R4 zoning district is well suited in this particular location.

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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.

In the past few years, several higher density cluster developments have been built along the Hiawatha/Minnehaha Corridor.

RECOMMENDATION OF THE CITY PLANNING DEPARTMENT:

The City Planning Department recommends that the City Planning Commission and City Council adopt the above findings and **approve** the rezoning from R1A to R4 for the Timbercraft Enterprises, Inc. Hiawatha Court Condo project located at 2530 East 34th Street.

CONDITIONAL USE PERMIT

Findings as Required by the Minneapolis Zoning Code:

The Minneapolis City Planning Department has analyzed the application and from the findings above concludes that the establishment, maintenance, or operation of the proposed conditional use:

1. Will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

The Planning Department does not believe that 45 units of for-sale senior condominiums will be detrimental to the surrounding area. This development will allow seniors already living in the neighborhood an opportunity to move from their single-family homes into a condominium-type situation that does not require any exterior maintenance but still allows them to stay within the same neighborhood.

2. Will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.

The Planning Department does not believe that this development will be injurious to the use and enjoyment of surrounding property nor will it impede the normal development of the surrounding area. This property is surrounded by several types of dwellings including single-family homes and higher density cluster developments. There are also several commercial and industrial uses located across Hiawatha Avenue from the site. This development will replace a vacant parcel of land with 45 units of for-sale senior condominiums.

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3. Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided.

The applicant will be working closely with the Public Works Department during the duration of the development to ensure that all procedures are followed in order to comply with city requirements.

4. Adequate measures have been or will be provided to minimize traffic congestion in the public streets.

The parking requirement for the development is 45 parking spaces. The applicant is providing 53 enclosed parking spaces and 14 outdoor guest parking spaces. The resident parking area is accessed from the north end of the building via the alley and the guest parking area is accessed from East 34th Street.

5. Is consistent with the applicable policies of the comprehensive plan.

This site is located in a low-density residential area. The site is located one block west of the Hiawatha Light Rail Transit Corridor and four blocks north of the East 38th street transit stop. The area along the Hiawatha/Minnehaha Corridor has been designated as a major housing site.

In the Marketplaces: Neighborhoods chapter found in *The Minneapolis Plan*, Policy 4.10 states that “Minneapolis will reasonably accommodate the housing needs of all of its citizens.”

In the Marketplaces: Neighborhoods chapter found in *The Minneapolis Plan*, Policy 4.15 states that “Minneapolis will carefully identify project sites where housing redevelopment or housing revitalization are the appropriate responses to neighborhood conditions and market demand.”

In the City Form chapter found in *The Minneapolis Plan*, Policy 9.8 states that “Minneapolis will maintain and strengthen the character of the city’s various residential areas.”

This development will be providing 45 units of for-sale senior condominiums. The 2000 Census indicates that there is a growing number of seniors residing in this neighborhood. This development will allow those seniors the opportunity to move from their single-family homes into a condominium-type situation that does not require any exterior maintenance but still allows them to stay within the same neighborhood.

6. And, does in all other respects conform to the applicable regulations of the district in which it is located upon approval of this conditional use permit.

With the approval of the rezoning, the conditional use permit, the site plan review and the preliminary plat this development will be in conformance with the applicable regulations of the zoning code.

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RECOMMENDATION OF THE CITY PLANNING DEPARTMENT:

The City Planning Department recommends that the City Planning Commission adopt the above findings and **approve** the conditional use permit application for the Timbercraft Enterprises, Inc. Hiawatha Court Condo project located at 2530 East 34th Street subject to the following conditions:

1. The Planning Department shall approve the final site, elevation and landscaping plans.

SITE PLAN REVIEW

Findings as Required by the Minneapolis Zoning Code:

- A. The site plan conforms to all applicable standards of Chapter 530, Site Plan Review. (See Section A Below for Evaluation.)
- B. The site plan conforms to all applicable regulations of the zoning ordinance and is consistent with applicable policies of the comprehensive plan. (See Section B Below for Evaluation.)
- C. The site plan is consistent with applicable development plans or development objectives adopted by the city council. (See Section C Below for Evaluation.)

Section A: Conformance with Chapter 530 of Zoning Code

BUILDING PLACEMENT AND FACADE

- Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.
- First floor of the building shall be located not more than eight (8) feet from the front lot line (except in C3S District or where a greater yard is required by the zoning ordinance). If located on corner lot, the building wall abutting each street shall be subject to this requirement.
- The area between the building and the lot line shall include amenities.
- The building shall be oriented so that at least one (1) principal entrance faces the public street.
- Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.
- For new construction, the building façade shall provide architectural detail and shall contain windows at the ground level or first floor.
- In larger buildings, architectural elements shall be emphasized.
- The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.
- The use of plain face concrete block as an exterior material shall be prohibited where visible from a public street or a residence or office residence district.
- Entrances and windows:
 - Residential uses shall be subject to section 530.110 (b) (1).
 - Nonresidential uses shall be subject to section 530.110 (b) (2).
- Parking Garages: The exterior design shall ensure that sloped floors do not dominate the appearance of the façade and that vehicles are screened from view. At least thirty (30) percent

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of the first floor façade that faces a public street or sidewalk shall be occupied by commercial uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.

PLANNING DEPARTMENT RESPONSE

- The development does reinforce the street wall as it is proposed to be located 15 feet from East 34th Street. However, the development does not maximize natural surveillance or facilitate pedestrian access, as there is no entrance or windows located on the first floor of the building that faces East 34th Street.
- The building is proposed to be setback 15 feet from East 34th Street. Although this is greater than eight feet, the required setback of this district is 15 feet.
- The applicant is proposing to have landscaping between the building and the property line.
- The principal entrance for the building faces the interior of the site. The entrance is located approximately 125 feet from the front property line. Staff is recommending that there be a principal entrance facing East 34th Street as it seems that the proposed development turns its back on the rest of the neighborhood.
- The parking requirement for the development is 45 parking spaces. The applicant is providing 53 enclosed parking spaces and 14 outdoor guest parking spaces. The resident parking area is accessed from the north end of the building via the alley and the guest parking area is accessed from East 34th Street. The guest parking spaces are in excess of what is required for this site. Staff is recommending that the guest parking spaces be eliminated which would maximize the amount of green space on the site. The Planning Department has consistently recommended that all guest parking be eliminated for the previous Timbercraft projects reviewed by the Planning Commission. The Planning Commission has consistently allowed Timbercraft to keep some of the guest parking spaces. In this particular situation, Staff believes if the guest parking spaces were to remain on the site, it could be designed in a more efficient manner.
- The building is proposed to be constructed of brick and maintenance free siding. Windows will be located on all four sides of the building and screen porches located on three sides of the building.
- The East 34th Street elevation has been broken up into smaller sections through the use of varying rooflines and screen porches.
- The sides and back of the building will be compatible with the front of the building.
- Plain face block will not be visible from the street.
- The percentage of windows on the East 34th Street side of the building is approximately five percent and the percentage of windows on the side of the building that faces the parking lot is approximately 11 percent. These percentages do not meet the zoning code requirement of 20 percent. Please note that the windows on the wall facing the guest parking area are not distributed evenly along the wall.
- There is a parking garage located on this site, however it is only one floor, thus sloping floors are not a concern.

ACCESS AND CIRCULATION

- **Clear and well-lighted walkways of at least four (4) feet in width shall connect building entrances to the adjacent public sidewalk and to any parking facilities located on the site.**
- **Transit shelters shall be well lighted, weather protected and shall be placed in locations that promote security.**
- **Vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic**

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and surrounding residential uses.

- **Traffic shall be directed to minimize impact upon residential properties and shall be subject to section 530.140 (b).**
- **Areas for snow storage shall be provided unless an acceptable snow removal plan is provided.**
- **Site plans shall minimize the use of impervious surfaces.**

PLANNING DEPARTMENT RESPONSE

- This development conforms to the walkway and sidewalk requirements of the zoning code for the private sidewalk on the site. However, please note that there is a portion of the public sidewalk along East 34th Street that has never been completed. Staff is recommending that the applicant work with the Public Works Sidewalks Department to finish the public sidewalk along East 34th Street.
- There are no bus stops being proposed as part of this development.
- The development conforms with the zoning code and with the requirements of the Public Works Department in regard to vehicular access and circulation. The applicant is providing 53 enclosed parking spaces and 14 outdoor guest parking spaces. The resident parking area is accessed from the north end of the building via the alley and the guest parking area is accessed from East 34th Street
- All of the parking for this site is located within the building and is accessed from the north end of the building via the alley. The 14 guest parking stalls, which are located on the east side of the building, are accessed from East 34th Street.
- According to the applicant, snow will be stored on the north side of the site near the alley.
- The entire site is currently covered in grass. The landscaping requirement for the site is 10,910 square feet. The applicant is proposing to have approximately 40,810 square feet of landscaping (75 percent) on the site once the project is complete.

LANDSCAPING AND SCREENING

- **The composition and location of landscaped areas shall complement the scale of the development and its surroundings.**
- **Not less than twenty (20) percent of the site not occupied by buildings shall be landscaped as specified in section 530.150 (a).**
- **Where a landscaped yard is required, such requirement shall be landscaped as specified in section 530.150 (b).**
- **Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.**
- **Required screening shall be at least ninety-five (95) percent opaque throughout the year. Screening shall be satisfied by one or a combination of the following:**
 - **A decorative fence.**
 - **A masonry wall.**
 - **A hedge.**
- **Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.160 (b).**
- **Parking and loading facilities abutting a residence or office residence district or abutting a permitted or conditional residential use shall comply with section 530.160 (c).**
- **The corners of parking lots shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks, or bicycle parking.**

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- **Parking lots containing more than two hundred (200) parking spaces: an additional landscaped area not less than one hundred-fifty (150) square feet shall be provided for each twenty-five (25) parking spaces or fraction thereof, and shall be landscaped as specified for a required landscaped yard.**
- **All parking lots and driveways shall be defined by a six (6) inch by six (6) inch continuous concrete curb positioned two (2) feet from the boundary of the parking lot, except where the parking lot perimeter is designed to provide on-site retention and filtration of stormwater. In such case the use of wheel stops or discontinuous curbing is permissible. The two (2) feet between the face of the curb and any parking lot boundary shall not be landscaped with plant material, but instead shall be covered with mulch or rock, or be paved.**
- **All other areas not governed by sections 530.150, 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.**
- **Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.220.**
- **The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.60, as provided in section 530.230.**

PLANNING DEPARTMENT RESPONSE

- The entire site is currently covered in grass. The landscaping requirement for the site is 10,910 square feet. The applicant is proposing to have approximately 40,810 square feet of landscaping (75 percent) on the site once the project is complete. Staff is recommending that the applicant provide additional landscaping along the alley and between the development and the adjacent single-family dwelling.
- The applicant is not proposing fencing on the site. Staff is recommending that the applicant provide a four-foot high decorative metal fence on the north side of the building adjacent to the alley and along the property line east of the driveway. The fence will help to minimize the amount of people walking through the site and help provide an appropriate transition area between the development and the adjacent single-family dwelling. In addition, the CPTED specialist suggested that the playground area be enclosed with either a fence or berms to minimize the amount of people using the equipment.

ADDITIONAL STANDARDS

- **Lighting shall comply with the requirements of Chapter 535 and Chapter 541. A lighting diagram may be required.**
- **Parking and loading facilities and all other areas upon which vehicles may be located shall be screened to avoid headlights shining onto residential properties.**
- **Site plans shall minimize the blocking of views of important elements of the city.**
- **Buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.**
- **Buildings shall be located and arranged to minimize the generation of wind currents at ground level.**
- **Site plans shall include crime prevention design elements as specified in section 530.260.**
- **Site plans shall include the rehabilitation and integration of locally designated historic**

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structures or structures that have been determined to be eligible to be locally designated. Where rehabilitation is not feasible, the development shall include the reuse of significant features of historic buildings.

PLANNING DEPARTMENT RESPONSE

- The applicant is proposing to have pedestrian scale lights at various locations around the guest parking area and near the entrance to the enclosed parking area. The CPTED specialist suggested that there be wall lights near all of the entrances and exits to the building.
- All of the parking for this site is located within the building and is accessed from the north end of the building via the alley. The 14 guest parking stalls, which are located on the east side of the building, are accessed from East 34th Street.
- This building does not block views of important elements within the city.
- The building has minimal light and air effects on the surrounding area.
- This building has minimal wind effects on the surrounding area.
- The Police Department has reviewed the design pertaining to crime prevention design elements. The CPTED specialist suggested that the playground area be enclosed with either a fence or berms to minimize the amount of people using the equipment and that there be wall lights near all of the entrances and exits to the building.
- This site is neither historic nor located in a historic district.

Section B: Conformance with All Applicable Zoning Code Provisions and Consistency with the Comprehensive Plan

ZONING CODE

With the approval of the rezoning, the conditional use permit, the site plan review and the preliminary plat this development will be in conformance with the applicable regulations of the zoning code.

THE MINNEAPOLIS PLAN

This site is located in a low-density residential area. The site is located one block west of the Hiawatha Light Rail Transit Corridor and four blocks north of the East 38th street transit stop. The area along the Hiawatha/Minnehaha Corridor has been designated as a major housing site.

In the Community Building chapter found in *The Minneapolis Plan*, Policy 1.2 states that “Minneapolis will encourage both private and public development that provides gathering spaces in the city neighborhoods.”

In the Movement chapter found in *The Minneapolis Plan*, Policy 8.4 states that “Minneapolis will continue to build, maintain and require a pedestrian system which recognizes the importance of a network of private and public sidewalks which achieve the highest standards of connectivity and amenity.”

In the City Form chapter found in *The Minneapolis Plan*, Policy 9.5 states that “Minneapolis will support the development of residential dwellings of appropriate form and density.”

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In the City Form chapter found in *The Minneapolis Plan*, Policy 9.6 states that “Minneapolis will work with private and other public sector partners to invest in new development that is attractive, functional and adds value to the physical environment.”

In the City Form chapter found in *The Minneapolis Plan*, Policy 9.21 states that “Minneapolis will preserve and enhance the quality of living in residential neighborhoods, regulate structures and uses which may affect the character or desirability of residential areas, encourage a variety of dwelling types and locations and a range of population densities and ensure amenities, including light, air, privacy and open space.”

This building was designed to replicate some of the building characteristics of existing homes throughout the neighborhood. The proposed development is a four-story building, made of brick and maintenance free siding. Windows are located on all four sides of the building and large screen porches are located on three sides of the building. The building is setback 15 feet from East 34th Street which is similar to other homes in the neighborhood.

Staff is concerned about the lack of a principal entrance on the East 34th Street side of the building and the lack of windows located along the first floor façade of the building, especially those sides of the building facing East 34th Street and the guest parking area. Without windows, there is no interaction between the building and those walking along the street. If there were windows located along the first floor of the building, one would be looking into the parking garage of the building from the street. Staff believes that although this is not the most ideal situation, windows would provide a sense of security and natural sunlight for those in the parking garage and would provide visual interest for those on the street.

Section C: Conformance with Applicable Development Plans or Objectives Adopted by the City Council

There are no small area plans adopted by the city for this particular location.

ALTERNATIVE COMPLIANCE

The Planning Commission may approve alternatives to any major site plan review requirement upon finding any of the following:

- **The alternative meets the intent of the site plan chapter and the site plan includes amenities or improvements that address any adverse effects of the alternative. Site amenities may include but are not limited to additional open space, additional landscaping and screening, transit facilities, bicycle facilities, preservation of natural resources, restoration of previously damaged natural environment, rehabilitation of existing structures that have been locally designated or have been determined to be eligible to be locally designated as historic structures, and design which is similar in form, scale and materials to existing structures on the site and to surrounding development.**
- **Strict adherence to the requirements is impractical because of site location or conditions and the proposed alternative meets the intent of this chapter.**
- **The proposed alternative is consistent with applicable development plans or development objectives adopted by the city council and meets the intent of this chapter.**

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PLANNING DEPARTMENT RESPONSE

- The Planning Department does not believe that alternative compliance is warranted for this site.

RECOMMENDATION OF THE CITY PLANNING DEPARTMENT:

The City Planning Department recommends that the City Planning Commission adopt the above findings and **approve** the site plan review application for the Timbercraft Enterprises, Inc. Hiawatha Court Condo project located at 2530 East 34th Street subject to the following conditions:

1. The Planning Department shall approve the final site plan.
2. The applicant shall work with the Public Works Sidewalks Department to finish the public sidewalk along East 34th Street.
3. The applicant shall provide a four-foot high decorative metal fence on the north side of the building adjacent to the alley and along the property line east of the driveway.
4. The guest parking area shall be eliminated.
5. The Planning Department shall approve the final landscaping plan.
6. The applicant shall provide additional landscaping along the alley and between the guest parking area (if it remains) and the street.
7. The Planning Department shall approve the final lighting plan.
8. The Planning Department shall approve the final elevation plans.
9. There shall be a principal entrance located along the East 34th Street side of the building.
10. There shall be 20 percent windows located along the first floor façade of the building that faces East 34th Street.
11. The applicant shall work with the Planning Department to ensure that the windows on the wall facing the guest parking area are distributed in a more even manner.
12. The applicant shall obtain an encroachment permit from the Public Works Department for any work done in the right-of-way.
13. The 6-foot area along the alley shall be marked as a fire lane.
14. There shall be no permanent objects located within the utility easement.
15. Per the Public Works Department, the fire hydrant shall be moved further to the south.

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16. All site improvements shall be completed by September 1, 2003, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
17. The applicant shall submit a performance bond in the amount of 125% of the estimated site improvement costs prior to building permits being pulled, or the permit may be revoked for non-compliance.

PRELIMINARY PLAT APPLICATION (PL-115)

Required Findings:

1. **Subdivision is in conformance with the land subdivision regulations including the requirements of section 598.100 relating to protection of natural resources, applicable regulations of the Zoning Code, and policies of the Comprehensive Plan.**

DESIGN REQUIREMENTS

The re-platting of the block results in the creation of one lot with frontage on a public street.

The re-plating of the block results in the creation of one lot with a single zoning classification.

No nonconforming structures or uses result from this plat.

RESIDENTIAL DEVELOPMENT DESIGN

The re-platting of the block results in the creation of a block that does not meet the minimum length standards as required by the zoning code. The land subdivision ordinance does, however, allow the approval of variances to any of the design requirements of the ordinance. The variance may be granted if the planning commission makes the following findings.

1. **There are special circumstances or conditions affecting the specific property such that strict application of the provisions of this chapter would deprive the applicant of the reasonable use of land.**

The re-platting of the block follows the lines of the originally platted block. To create a block that is at least 600 feet in length, it would require that the two adjacent streets be vacated and then combined with the proposed block. This would not be a favorable solution for the Planning Department or the Public Works Department.

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- 2. The granting of the variance will not be detrimental to the public welfare or injurious to other property in the area in which the property is located.**

Granting this variance will not be detrimental to other property in the area as the existing block is 512.28 feet in length and the proposed block will be 512.28 feet in length.

The dimensions of the lot being created exceed the minimum dimensions in the zoning code.

The re-plating of the block results in the creation of one block with five sides.

ZONING CODE

With the approval of the rezoning, the conditional use permit, the site plan review and the preliminary plat this development will be in conformance with the applicable regulations of the zoning code.

THE MINNEAPOLIS PLAN

The Minneapolis Plan has several policies that call for the development of housing projects that appeal to all of the varying populations within the city.

This development will be providing 45 units of for-sale senior condominiums. The 2000 Census indicates that there is a growing number of seniors residing in this neighborhood. This development will allow those seniors the opportunity to move from their single-family homes into a condominium-type situation that does not require any exterior maintenance but still allows them to stay within the same neighborhood.

- 2. Subdivision will not be injurious to the use and enjoyment of other property in the immediate vicinity, nor be detrimental to present and potential surrounding land uses, nor add substantially to congestion in the public streets.**

The Planning Department does not believe that this development will be injurious to the use and enjoyment of surrounding property nor will it impede the normal development of the surrounding area. This property is surrounded by several types of dwellings including single-family homes and higher density cluster developments. There are also several commercial and industrial uses located across Hiawatha Avenue from the site. This development will replace a vacant parcel of land with 45 units of for-sale senior condominiums.

- 3. All land intended for building sites can be used safely without endangering the residents or uses of the subdivision and the surrounding area by peril from floods, erosion, high water table, severe soil conditions, improper drainage, steep slopes, utility easements, rock formations, or other hazard.**

The site is flat and does not present the above hazards.

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4. The lot arrangement is such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits and in providing driveway access to buildings on such lots from an approved street. Each lot created through subdivision is suitable in its natural state for the proposed use with minimal alteration.

The parcels created by this plat present no foreseeable difficulties for the proposed development. No significant alterations to the land appears necessary.

5. The subdivision makes adequate provision for storm or surface water runoff, and temporary and permanent erosion control. The stormwater drainage system shall be separate and independent of any sanitary sewer system. All plans shall be designed in accordance with rules, regulations and standards of the city engineer. Facilities intended to be dedicated to the City shall be located in perpetual, unobstructed easements of a width determined to be adequate and necessary by the city engineer. To the extent practicable, the amount of stormwater runoff from the site after development does not exceed the amount occurring prior to development.

Public Works will review and approve drainage and sanitary system plans before issuance of building permits.

RECOMMENDATION OF THE CITY PLANNING DEPARTMENT:

The City Planning Department recommends that the City Planning Commission **approve** the preliminary plat application for the Timbercraft Enterprises, Inc. Hiawatha Court Condo project located at 2530 East 34th Street subject to the following condition:

1. The area shown on the Preliminary Plat at “6 Feet Additional Right-Of-Way” shall be shown as an Outlot on the final plat.