



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

Date: June 24, 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: The Board of Adjustment granted a lot area variance for this lot at its meeting of February 11, 2004.

Financial Impact: Not applicable

Community Impact:

Ward: 3

Neighborhood Notification: The McKinley Community was notified of the application by an e-mail dated June 2, 2004. The Cleveland Neighborhood Association was notified of the application by an e-mail dated June 9, 2004. As of the writing of this report, staff has not received any written comments from the neighborhood group.
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City Goals: See staff report

Comprehensive Plan: See staff report

Zoning Code: See staff report

Living Wage/Job Linkage: Not applicable
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Other: Not applicable

Background/Supporting Information: Please see attached staff report.

CPED Planning Division Report

Waiver From Moratorium Application (BZZ - 1805)

Date: June 24, 2004

Applicant: Gordon Hines

Date Application Deemed Complete: June 4, 2004

End of 60 Day Decision Period: August 3, 2004

Address Of Property: 3752 Aldrich Avenue North

Contact Person And Phone: Dorothy Lohse 763-533-8710

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

Ward: 3 **Neighborhood Organization:** McKinley

Existing Zoning: R1A Single-family Residential District

Reason For Waiver: To allow the construction of a new single-family home at 3752 Aldrich 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: The City Council has introduced 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 proposed interim ordinance (Chapter 578) was approved by the Zoning and Planning Committee on June 10, 2004 and will go to the full council on June 18, 2004.

Gordon Hines plans to build a house on the vacant lot at 3752 Aldrich Avenue North (and a single-family home on the lot to the north at 3756 Aldrich – waiver application BZZ-1806). These two properties were all under one property identification number (PID) and required variances to be split into separate parcels. Mr. Hines applied for and received lot width and lot area variances to bring the lots into conformance with the requirements of the zoning code in February of 2004 (BZZ-1545 & 1546). Please see the attached minutes from the Board of Adjustment meeting. He then applied for and received separate PIDs from Hennepin County shortly after the variances were granted.

Neighborhood Review: The McKinley Community was notified of the application by an e-mail dated June 2, 2004. The Cleveland Neighborhood Association was notified of the application by an e-mail dated June 9, 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: Gordon Hines plans to build a house on the vacant lot at 3752 Aldrich Avenue North. In preparation for this, he applied for and received a lot area variance to bring the lot into conformance with the requirements of the zoning code. This variance was approved in February of 2004 (BZZ-1545). In addition, he applied for and received separate property identification numbers (PIDs) from Hennepin County shortly after the variances were granted. Mr. Hines has been in the planning stage for several months, has complied with various City and County requirements, and has a family waiting to occupy the home. 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 3700 block of Aldrich 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).

The proposed home has had some architectural details added since the drawings were first shown at the Board of Adjustment (please see attached drawing) in February. These elements include some brick facing on the front façade, a change in the roof pitch to match surrounding homes, and a porthole window on the upper story.

The applicant has not indicated what type of exterior material (other than the brick) will be utilized on the structure. It does not appear that the first floor façade meets the required 15 percent windows for single family homes. While not required by code, the building does not have a rear door and there is no indication that walkways will be provided to the rear of the site. While the applicant has added some architectural detail, it does not appear that it has been done in a coordinated manner that would make the design of this structure compatible with the character of the surrounding neighborhood. While the pitch of the roof has been changed the style is not as varied as those on the surrounding houses and it appears that the pitch on the porch does not match the surrounding homes. Therefore, the design of the proposed home is not compatible with the character of the neighborhood and may interfere with the purposes of the moratorium.

Recommendation of The CPED Planning Division:

The CPED Planning Division recommends that the City Council adopt the above findings and **deny** the waiver application for property located at 3752 Aldrich Avenue North.