



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

Date: December 16, 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: 3

Neighborhood Notification: The Near North Neighborhood was notified of the application by a letter. Please see the attached letter from the Northside Residents Redevelopment Council.

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 - 2117

Date: December 16, 2004

Applicant: River Run Properties

Address Of Property: 1024 Morgan Avenue North

Contact Person And Phone: Jeremy Shackle – River Run Properties 651-552-3698

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

Date Application Deemed Complete: November 15, 2004

End of 60 Day Decision Period: January 14, 2005

Ward: 5 **Neighborhood Organization:** Near North

Existing Zoning: R2B Two-family Residential District

Reason For Waiver: To allow the construction of a new single-family home on the lot at 1024 Morgan 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 and in the Willard-Hay, Near North, Harrison, and Sumner Glenwood Neighborhoods.

Background: 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 and to the city limits and in the Willard-Hay, Near North, Harrison, and Sumner Glenwood Neighborhoods, 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 and amended on August 20, 2004. River Run Properties proposes to build a single-family home on the vacant lot at 1024 Morgan Avenue North.

Neighborhood Review: The Northside Residents Redevelopment Council (NRRC) was notified of the application by a letter. NRRC has provided a letter stating support for the waiver subject to conditions (please see attached letter).

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:

River Run Properties proposes to rebuild a single-family home on the vacant lot at 1024 Morgan Avenue North. River Run Properties claims that failure to obtain a waiver will cause an insurmountable loss due to the cost of holding the property until the moratorium expires (please see attached letter). A delay at this point could constitute a 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 1000 block of Morgan Avenue North are mix of single and multi-family uses of various architectural styles. (Please see the attached photos). However, most are two or two and one-half stories and have front entrances and porches facing the street.

The proposed home has architectural detail including a porch and shake siding at the peak. The building meets the window requirements of the code for the front façade and has a roof pitch similar to surrounding homes. It also has a basement. There will be a garage at the rear of the site that accesses the alley. This house is compatible with the character of the surrounding area.

The NRRC has suggested several changes to the plan, but staff has not included all of them in the recommendation of approval. Staff has added conditions for additional windows and a skirt around the base of the porch. The house is required to be at least 22 feet wide.

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 **approve** the waiver application for 1024 Morgan Avenue North subject to the following conditions:

- 1) Provision of a window on the north side of the first floor for the living room; provision of a window on the north side for the second floor master bedroom; provision of a window on the north side of the second floor for bedroom 2; and provision of a window on the south side of the second floor for bedroom 3. These windows shall be in addition to the existing windows shown on the elevations.
- 2) Provision of skirting under the porch.