

**Minneapolis City Planning Department Report
BZZ- 1157**

Date: June 2, 2003

Applicant: Dean Carlson, dba Community Housing Resources

Address Of Property: 4518 Dupont Avenue North

Date Application Deemed Complete: April 14, 2003

End of 60 Day Decision Period: June 13, 2003

End of 120 Day Decision Period: August 13, 2003

Applicant Waive 60 Day Requirement: No

Contact Person and Phone: Dean Carlson, CHR, 1001 Washington Avenue, Minneapolis, MN 55401; 612-342-1490, dcarlson@mplsha.org Larry Blackstad, Hennepin County, 612-342-5859, larry.blackstad@co.hennepin.mn.us

Planning Staff and Phone: Lonnie Nichols, 612-673-5468, lonnie.nichols@ci.minneapolis.mn.us

Ward: Four (4) **Neighborhood Organization:** Lind-Bohanon

Existing Zoning: R1A (Single Family District)

Proposed Zoning: R2B (Two-Family District)

Zoning Plate Number: Two (2)

Legal Description: James M. Gillespies 3rd Addition to Minneapolis Lot: Block 003 Metes and Bounds: Lot 19 also that part of lots 15 through 18 including lying Northeasterly of Northeasterly Right of Way line of Shingle Creek Parkway. (PID: 12-118-21-34-0223)

Proposed Use: Move duplex saved from Humboldt Avenue Greenway project to this site.

Previous Actions: Not Applicable

Concurrent Review: None

Signage: Not Applicable (None Proposed)

Appropriate Section(s) of the Zoning Code: Chapter: 520-Introductory Provisions; 521-Zoning Districts and Maps Generally; 525-Administration and Enforcement; 546-Residence Districts

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Background: Dean Carlson dba Community Housing Resources has filed application to rezone an irregular vacant lot (14,923 sf) owned by Hennepin County located at 4518 Dupont Avenue North from a R1A (single family, low density) zoning district to a R2B (Two-family, low density) zoning district in order to construct a foundation and move an existing duplex from the Humboldt Avenue Greenway project, onto the said lot at 4518 Dupont Avenue North. Council Member Johnson is supportive of the rezoning. The Lind-Bohanon Neighborhood Association reviewed the project proposal on April 3, 2003, but took no action for or against the proposal. Staff has not received comment from any of the adjacent neighbors.

The applicant submitted a plan of the site with the front of the duplex facing Shingle Creek Parkway. Hennepin County, the current owner of the parcel, has requested that the house face Shingle Creek as a condition of transferring ownership of the lot to the applicant, Community Housing Resources. This southwest-facing placement is viewed as a reverse orientation to the underlying lot lines of the parcel as well as to the orientation to the rest of the houses on the 4500 block of Dupont, which all face Dupont. The site proposal shows the principal entrance on Shingle Creek. The zoning code requires the principal entrance to face the front yard, as determined by the lot's platting. In this case, the underlying platting runs East-West, making Dupont the front yard. In addition, section 535.90(b) of the zoning code, Principal entrance and windows states, "Not less than fifteen (15) percent of the first floor façade of single and two-family dwellings and multiple-family dwellings of three (3) and four (4) units that face a public street shall be windows, and shall include at least one (1) principal entrance. The principal entrance may face a side lot line when part of a front vestibule or extended portion of the front façade, provided the entrance is located no further than eight (8) feet from the façade closest to the street. In the case of a corner lot, only the façade facing the front lot line shall be subject to the requirements of this section". In this case, Dupont Avenue is the front lot line. Staff supports the rezoning, but not the proposed orientation of the house. Due to the orientation of the house, a building permit may not be issued for the development plan envisioned by the applicant. The applicant is encouraged to redirect the orientation of the house to face Dupont Avenue. It is Staffs' understanding that the Council Member also supports the orientation of the house to face Dupont Avenue. Staff feels the rehabilitated and properly relocated duplex can provide affordable housing on an otherwise vacant lot by placing modestly higher density on the edge of a neighborhood.

Findings As Required By The Minneapolis Zoning Code:

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

The applicant's proposal to rezone a lot from R1A to R2B to relocate an existing duplex for affordable housing is consistent with the following policies of chapter four (4) of the comprehensive plan. The comprehensive plan does not distinguish between single family homes and duplexes, both are considered low density residential.

- 4.9 Minneapolis will grow by increasing its supply of housing.
- 4.10 Minneapolis will increase its housing that is affordable to low and moderate income households.
- 4.11 Minneapolis will improve the availability of housing options for its residents.
- 4.12 Minneapolis will reasonably accommodate the housing needs of all its citizens.
- 4.13 Minneapolis will expand the type and range of housing types for residents with substantial choice.

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

The proposed rezoning is in the interest of the applicant (Community Housing Resources) and current property owner (Hennepin County). The proposed rezoning is in the public interest in terms of retaining the existing housing supply in the City of Minneapolis.

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 area is zoned predominantly R1A. There is more intense zoning (OR1, R4, R5, C1, C2, I2) existing along Lyndale Avenue North (4-blocks to the East), 45th Avenue North (2-blocks to the East), and Humboldt Avenue North (4-blocks to the West), and one parcel of R2B approximately a block away on the 4600 block of Colfax Avenue North (see attached Zoning Plate #2). This area of Shingle Creek Parkway is a designated truck route. The proposed zoning change from R1A to R2B does not appear to be incompatible within the general area, as the site is located on the edge of the neighborhood, on a designated truck route and adjacent to a parkway.

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.

There are reasonable uses under the current zoning, including a single family home, cluster development, institutional and public uses.

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.

The Humboldt Greenway Housing Redevelopment project has been underway for a number of years. This includes a new multi-family senior housing project (75 units) and new homes being constructed along Humboldt Avenue North. The general area has remained single family, with scattered duplexes.

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 application (**BZZ 1157**) to rezone the property at 4518 Dupont Avenue North from R1A to R2B.

Additional Notes (not planned for inclusion in the staff report):

Chapter 525.520, Authorized Variances states: Variances from the regulations of this zoning ordinance shall be granted by the board of adjustment only in accordance with the requirements of section 525.500 (Required Variance Findings), and may be granted only in the following instances, and in no others: Chapter 525.520 (2) states: To vary the lot area or lot width requirements up to thirty (30) percent, except for the following uses, where the maximum of thirty (30) percent shall not apply. (a) To vary the lot area or lot width requirements up to fifty (50) percent for schools, grades K-12, located in the OR2, OR3, and commercial districts. (b) To vary the lot area or lot width requirements up to fifty-five (55) percent for newly constructed two-family dwellings located in the R2B District, provided the surrounding properties are primarily two-family dwellings developed on lots similar in size to the proposed development.

The R1A parcel proposed for rezoning to R2B is 14,923 sf. As per the existing R1A zoning, the applicant has the right to apply for up to a thirty (30) percent variance (as per Chapter 525.520) to pursue a cluster development which meets the standards of 15,000 sf or 5,000 sf per dwelling unit, whichever is greater; and, a minimum lot width of 80 (80) feet. R2B zoning has the same requirements for cluster developments established after January 1, 1995; and, a minimum 10,000 sf lot area and forty (40) foot lot width for two-family dwellings established after January 1, 1995. A cluster development is defined in Chapter 520.160 as a unified development of not less than three (3) dwelling units, either attached or detached, in which one or more principal buildings are grouped together in order to preserve common space for the benefit of the residents of the development. Cluster development allows flexibility in the location of residential structures and the size of individual lots in order to encourage a variety of housing types and the efficient use of land.

With both R1A and R2B zoning, the applicant can apply to use the existing duplex (currently on blocks in the Humboldt Avenue Greenway project area) in a cluster development (with approved variance as per 525.520) by adding a single family home to the proposed development at 4518 Dupont Avenue North. A change in zoning classification to R2B is required to move and establish the duplex at 4518 Dupont Avenue North.