



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

Date: September 30, 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

<p>Community Impact:</p>

<p>Ward: 4</p>

<p>Neighborhood Notification: The Jordan Neighborhood was notified of the application by a letter dated September 8, 2004. As of the writing of this report, staff has not received any written comments from the neighborhood group.</p>
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<p>City Goals: See staff report</p>
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<p>Comprehensive Plan: See staff report</p>
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<p>Zoning Code: See staff report</p>

<p>Living Wage/Job Linkage: Not applicable</p>

<p>Other: Not applicable</p>

Background/Supporting Information: Please see attached staff report.

Department of Community Planning and Economic Development - Planning Division
Waiver From Moratorium Application
BZZ - 1973

Date: September 30, 2004

Applicant: Daniel Carlson

Address Of Property: 2800 Newton Avenue North

Contact Person And Phone: Daniel Carlson 612-721-2128

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

Date Application Deemed Complete: September 8, 2004

End of 60 Day Decision Period: November 7, 2004

Ward: 3 **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 2800 Newton 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: Daniel Carlson plans to build a house on the vacant lot north of 2800 Newton Avenue North. This lot is one of two lots that is under one property identification number (PID) and address. If the waiver is approved, the applicant will subdivide the two lots and request a variance of the interior side yard for the existing house to be 3 feet from the common lot line rather than the required five feet. This will be heard by the City Planning Commission on October 25, 2004. Approval of the waiver does not guarantee approval of the subdivision or variance.

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 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.

Neighborhood Review: The Jordan Neighborhood was notified of the application by a letter dated September 8, 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:

The applicant plans to build a new single-family home on the vacant lot at 2800 Newton Avenue North. The applicant claims that further delays will impose financial hardship due to increasing interest rates and construction costs.

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 2800 block of Newton Avenue North are mix of architectural styles, but they are predominantly single-family houses with garages along the alley (please see the attached photos of the houses).

The proposed home has architectural detail including siding and a front porch. There will be a detached garage that is accessed off of the alley. The front facade meets the window requirements of the code. It is the staff’s opinion that these elements would probably meet the design criteria being developed as apart of the planning study, and therefore, recommends that the waiver be granted.

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 a new single-family home for the property located at 2800 Newton Avenue North.