

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permit
BZZ-3852

Date: December 3, 2007

Applicant: John Jorde

Address of Property: 3846 Grand Avenue S.

Project Name: Add one dwelling unit to an existing 4-unit structure

Contact Person and Phone: John Jorde, 239-839-7647

Planning Staff and Phone: Michael Wee, 612-673-5468

Date Application Deemed Complete: October 29, 2007

End of 60-Day Decision Period: December 28, 2007

End of 120-Day Decision Period: Not applicable

Ward: 8 Neighborhood Organization: Kingfield

Existing Zoning: R5 Multiple Family District

Proposed Zoning: Not applicable for this application.

Zoning Plate Number: 31

Legal Description: Not applicable for this application.

Proposed Use: Add one dwelling unit to an existing 4-unit structure

Appropriate Section(s) of the Zoning Code: Chapter 546 Article VIII – Multiple-Family District

Background: The two-story building located at 3846 Grand Avenue S. was built in 1914 as a four-unit dwelling with a full basement. The applicant acquired this property in 1996 according to county record and lives in one of the apartment units. He plans to add a fifth dwelling unit in the basement level, without changing or expanding the existing building footprint. The fifth dwelling unit triggers a conditional use permit in an R5 District.

The structure has a total floor area of 6,444 square feet including the basement in a 6,982 square foot lot. The proposed fifth dwelling unit will be 600 square feet in floor area with entry from the rear. Overall, the property will have a floor area ratio (FAR) of 0.93, which is way under the maximum allowable FAR of 2 in an R5 District. Existing windows will stay the same except for one in the proposed

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bedroom where it will be enlarged. Table 546-15 requires a minimum lot area of 5,000 square feet or 900 square feet per dwelling unit, whichever is greater, in R5 district. The property exceeded this minimum by nearly 2,000 square feet.

An existing 3-car detached garage is located at the rear of the property, with access through the alley. Adjacent to this garage is a paved surface for additional parking of two vehicles. Zoning code requires one parking space for each dwelling unit. The applicant has a total 5 spaces for 5 dwelling units. Parking areas are permitted obstruction in a required interior side yard, provided such parking area is located in the rear 40 feet or twenty percent of the lot, whichever is greater. The garage and the surface parking are located within the 40 foot or 20% of the lot depth to comply with Section 535.280 of the zoning code. The accessory structure is 680 square feet and is nearly 10% of the lot area as allowed by Section 537.60 of the zoning code.

At the time of writing this staff report, no comments were received from the neighborhood associations. Staff will forward comments, if any are received, at the City Planning Commission meeting.

CONDITIONAL USE: to allow the addition of one dwelling unit to an existing 4-unit multiple-family structure located at 3846 Grand Avenue S.

Findings as required by the Minneapolis Zoning Code:

The Community Planning and Economic Development Planning Division has analyzed the application and from the findings above concludes that the establishment, maintenance, or operation of the proposed conditional use to add one dwelling unit to an existing 4-unit multiple-family structure at 2625 Pillsbury Avenue S:

- 1. Will not be detrimental to or endanger the public health, safety, comfort or general welfare.**
Multiple-family dwelling of 5 or more units require a conditional use permit in an R5 district. The proposed additional unit, which is in the basement of an existing structure, will not endanger the public health, safety, comfort or general welfare of the surroundings, provided it meets all building code requirements. No change in or expansion of the existing structure is proposed except enlarging one bedroom window in the north elevation.
- 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 surrounding area is fully developed with low to high-density residential units. There is no evidence that the proposed addition will impede the normal or orderly development and improvement of surrounding property for uses permitted in the district. Adjacent properties across the alley are zoned R2B.
- 3. Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided.**
The site is served by existing infrastructure, and deemed adequate even with the new addition.

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

One parking space is required per dwelling unit. In addition to the existing 3-car detached garage in the rear, the applicant will use an existing paved surface adjacent to the garage for an additional two spaces. Planning staff believes that existing traffic condition in the area will not be impacted by this proposal. An expansion of the garage is not proposed; otherwise it will require a variance for exceeding the maximum floor area for an accessory structure.

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

The proposed basement unit will increase housing availability in the neighborhood. This increase is consistent with Policy 4.9 as outlined in *The Minneapolis Plan*.

Policy 4.9 Minneapolis will grow by increasing its supply of housing.

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.

The conditional use permit allowing 5 dwelling units at 3846 Grand Avenue S. conforms to applicable regulations of R5 District, including floor area ratio, minimum lot size, maximum building height, and maximum impervious surface.

RECOMMENDATION

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the conditional use permit:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the conditional use allow an additional dwelling unit in the basement to an existing 4-unit multiple-family structure located at 3846 Grand Avenue S. subject to the following conditions:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within one year of approval.

Attachments:

1. Statement of use
2. Findings
3. Zoning map
4. Plans
5. Photos