

**Department of Community Planning and Economic Development – Planning
Division**
Preliminary and Final Plat
PL-223

Date: January 28, 2008

Applicant: Jim Pohlad, 60 South 6th Street, Suite 3800, Minneapolis, MN 55402, (612) 661-3860

Addresses of Property: 3809, 3811, 3813, 3815, 3817 and 3819 Sheridan Avenue South

Project Name: Private Residence on Lake Calhoun – Biltmore on Calhoun 2

Contact Person and Phone: Coen & Partners Inc., Attn: Anne Okerman Gardner, 400 1st Avenue North #210, Minneapolis, MN 55401, (612) 341-8070

Planning Staff and Phone: Becca Farrar, (612)673-3594

Date Application Deemed Complete: December 20, 2007

End of 60-Day Decision Period: February 17, 2008

End of 120-Day Decision Period: Not applicable for this application

Ward: 13 **Neighborhood Organization:** Linden Hills Neighborhood Council

Existing Zoning: R2B (Two-family) district, SH (Shoreland) Overlay District

Proposed Zoning: Not applicable for this application.

Zoning Plate Number: 29

Lot area: 30,349 square feet or .70 acres

Legal Description: See attachment.

Proposed Use: A single-family home in the R2B district.

Concurrent Review:

- Preliminary and Final Plat (PL-223)

Applicable zoning code provisions: Chapter 598, Land Subdivision Regulations

Development Plan: The site plan is attached.

Background: The applicant is constructing a new single-family home at the southeast corner of West Calhoun Parkway and Sheridan Avenue South overlooking Lake Calhoun on the properties located at 3809, 3811, 3813, 3815, 3817 and 3819 Sheridan Avenue South.. The properties are zoned R2B and located within the SH (Shoreland) Overlay District. There have been several proposals for the subject site. Originally, there were two existing structures on the site; one single-family structure and the other a duplex unit. An initial proposal to construct a six-unit, single-family cluster development was denied (BZZ-2338). However, the second proposal, a five-unit single-family cluster development received approval in August of 2005 (BZZ-2525). As a result of the approval, a final plat was processed and approved as required with the application as preliminary and final plat approval is required as all land proposed for a cluster development must be platted or replatted into one or more lots. That project was never constructed. A new proposal to construct a single-family home on the site was reviewed and approved by the Planning Commission in August of 2006. The Planning Commission approved a conditional use permit to allow development (a single-family home) within 40 feet of the top of a steep slope, a variance of the front yard setback requirement (reverse corner) along West Calhoun Pkwy to allow for a walkway, patio, and a pool encroachment, and a variance to permit development (a single-family home) in the Shoreland Overlay District within 40 feet of the top of a steep slope. The applicant is proposing to replat the six platted properties into one platted lot.

The City Attorney's office has indicated that it appears that the required monuments have been placed and that the required affirmations are stated on the face of the plat. It is the opinion of the City Attorney's Office that the plat is satisfactory and meets statutory requirements. The Public Works Department has also reviewed the plats and their comments have been addressed by the applicant.

Staff has not received official correspondence from the Linden Hills Neighborhood Council or any other neighborhood letters stating a position on the applications prior to the printing of this report.

PRELIMINARY AND FINAL PLAT –

Required Findings:

1. Subdivision is in conformance with the land subdivision regulations including the requirements of section 598.100 relating to protection of natural resources, applicable regulations of the Zoning Code, and policies of the Comprehensive Plan.

The subdivision is in conformance with the design requirements of the land subdivision regulations. The utility easements required by 598.230 (5) are being shown on the plat as there is no alley adjacent to the subject site.

ZONING CODE

With the approval of the preliminary and final plat this development would meet the applicable requirements of the R2B zoning district.

THE MINNEAPOLIS PLAN

According to the *Minneapolis Plan*, the site is located in a predominately low density residential area. According to the Principles and Policies outlined in the *Minneapolis Plan*, the following apply to this proposal:

- Minneapolis will grow by increasing its supply of housing.
- Improve the availability of housing options for its residents.
- Work with private and other public sector partners to invest in new development that is attractive, functional and adds value to the physical environment.
- Maintain and strengthen the character of the city's various residential neighborhoods.
- Support the development of residential dwellings of appropriate form and density.

The applicant is constructing a single-family home on a large, vacant property. This development is in conformance with the above noted principles and policies of the comprehensive plan.

2. Subdivision will not be injurious to the use and enjoyment of other property in the immediate vicinity, nor be detrimental to present and potential surrounding land uses, nor add substantially to congestion in the public streets.

Staff does not believe that the proposed plat would be injurious to the use and enjoyment of surrounding property nor be detrimental to present and potential surrounding land uses, nor add any congestion in the public streets.

3. All land intended for building sites can be used safely without endangering the residents or uses of the subdivision and the surrounding area by peril from floods, erosion, high water table, severe soil conditions, improper drainage, steep slopes, utility easements, rock formations, or other hazard.

The site does have steep slopes on the property. However, the proposed development is not occurring on the steep slopes and as such should not present the above hazards. Furthermore, the house is under construction as all construction documents have been approved and permits issued.

4. The lot arrangement is such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits and in providing driveway access to buildings on such lots from an approved street. Each

lot created through subdivision is suitable in its natural state for the proposed use with minimal alteration.

The lot being created by this plat presents no foreseeable difficulties for the proposed development. No additional significant alterations to the land appear necessary.

5. The subdivision makes adequate provision for storm or surface water runoff, and temporary and permanent erosion control. The stormwater drainage system shall be separate and independent of any sanitary sewer system. All plans shall be designed in accordance with rules, regulations and standards of the city engineer. Facilities intended to be dedicated to the City shall be located in perpetual, unobstructed easements of a width determined to be adequate and necessary by the city engineer. To the extent practicable, the amount of stormwater runoff from the site after development does not exceed the amount occurring prior to development.

The applicant would be required to work closely with the Public Works Department, the Plan Review Section of the Inspections Department and the various utility companies during the duration of the development to ensure that all procedures are followed in order to comply with city and other applicable requirements.

RECOMMENDATIONS:

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the preliminary and final plat:

The Department of Community Planning and Economic Development– Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the preliminary and final plat application for property located at 3809, 3811, 3813, 3815, 3817 and 3819 Sheridan Avenue South.

Attachments:

1. Memo from Public Works
2. Letter from the City Attorney’s office
3. Additional Correspondence
4. Zoning Map
5. Preliminary and Final Plat
4. Approved site plan