

Department of Community Planning and Economic Development – Planning Division
Preliminary and Final Subdivision Application
PL-241

Date: January 11, 2010

Applicant: Minneapolis Public Housing Authority

Address of Property: 1101 4th Avenue North (350 Van White Memorial Boulevard)

Plat Name: Heritage Commons

Contact Person and Phone: Michael Nelson, AIA – Miller Hanson Partners 612-332-5420

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

Date Application Deemed Complete: December 8, 2009

End of 120-Day Decision Period: April 7, 2010

Ward: 5 **Neighborhood Organization:** Sumner Glenwood

Existing Zoning: R5 Multiple-family Residence District

Proposed Zoning: Not applicable

Zoning Plate Number: 13

Legal Description: See attached survey

Existing Use: Multiple family senior housing with 101 units in a four-story building.

Concurrent Review:

Preliminary and Final Plat Subdivision: To replat 15 lots, miscellaneous parcels, and vacated right-of-way into one lot.

Applicable Code Provisions: Chapter 598 Subdivisions.

Development Plan: Please see attached site plans of existing development. The applicant proposes no changes to the existing conditions as a part of this replat,

Background: The Minneapolis Public Housing Authority owns the subject property which consists of 15 platted lots, miscellaneous parcels, and vacated right-of way all combined as one tax parcel and zoning lot. In 2004, the City Planning Commission approved a four-story 102-unit senior housing development (BZZ-1739 and PW#7528). The building has been constructed at the site and is occupied. The applicant proposes to replat the lots, parcels, and vacated right-of-way into one parcel. No changes to the development or parcel boundaries or size are proposed as a part of this replat. The existing tax parcel/zoning lot has an address of 1101 4th Avenue North, but the structure has an address of 350 Van White Memorial Boulevard.

The City Attorney has reviewed and approved the final plat documents.

The Sumner Glenwood neighborhood group is currently inactive.

PRELIMINARY and FINAL PLAT SUBDIVISION

Required Findings:

1. The subdivision is in conformance with the land subdivision regulations and the applicable regulations of the zoning ordinance and policies of the comprehensive plan.

The subdivision is in conformance with the design requirements of the land subdivision regulations except for Section 598.230 (5), which requires utility easements to be 5 feet wide on interior side lot lines and 10 feet on rear lot lines where no alley is present. In order to be in conformance with the land subdivision regulations, a variance of Section 598.230 (5) is required to allow the elimination of utility easements on the interior and rear lot lines. While variances from the zoning code require a separate application, variances from the subdivision standards are done as a part of the subdivision application subject to the standards listed below.

598.310. Variances. Where the planning commission finds that hardships or practical difficulties may result from strict compliance with these regulations, or that the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve variances to any or all of the provisions of this chapter. In approving variances, the planning commission may require such conditions as it deems reasonable and necessary to secure substantially the objectives of the standards or requirements of these regulations. No variance shall be granted unless the planning commission makes the following findings:

- (1) There are special circumstances or conditions affecting the specific property such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of land.
- (2) The granting of the variance will not be detrimental to the public welfare or injurious to other property in the area in which the property is located.

This site has an approved drainage plan and existing utilities that do not coincide with where the subdivision ordinance requires utility easements. This makes the provision of easements along the property line unnecessary.

The subdivision is in conformance with the zoning code. The development has an approved site plan.

The subdivision is in conformance with the comprehensive plan. The development was approved in conformance with *The Minneapolis Plan* in 2004. *The Minneapolis Plan for Sustainable Growth* shows this parcel in the Urban Neighborhood category. Multi-family housing zoned R5 is appropriate in this land use category.

2. The 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.

The proposed subdivision will create one lot out of 15 lots, miscellaneous parcels, and vacated right-of-way. No new development is proposed at this time. This will have no effect on surrounding property owners or congestion in the public streets.

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

The site does not present the above noted hazards. All development is existing and has the required approved site plan.

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.

No change to the grading is proposed at this time and access is existing.

5. The subdivision makes adequate provision for storm or surface water runoff, and temporary and permanent erosion control in accordance with the rules, regulations and standards of the city engineer and the requirements of these land subdivision regulations. To the extent practicable, the amount of stormwater runoff from the site after development does not exceed the amount occurring prior to development.

The site has an approved site plan that addressed stormwater management and erosion control.

RECOMMENDATION:

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

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the preliminary and final plat subdivision application for property located at 1101 4th Avenue North (350 Van White Memorial Boulevard).

Attachments:

- 1) Zoning map.
- 2) Site plans.
- 3) Preliminary and final plat.
- 4) Photo.