

**Department of Community Planning and Economic Development – Planning
Division
Final Plat
PL-206**

Date: July 16, 2007

Applicant: James Graham, American Indian Community Development Corporation,
2020 Bloomington Avenue South, Minneapolis, MN 55404, (612) 813-1610

Addresses of Property: 2111 and 2119 14th Avenue South, 1408 East 22nd Street

Project Name: Pokegama North

Contact Person and Phone: James Graham, American Indian Community
Development Corporation, 2020 Bloomington Avenue South, Minneapolis, MN 55404,
(612) 813-1610

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

Date Application Deemed Complete: May 11, 2007

End of 60-Day Decision Period: Not applicable for the proposed development.

End of 120-Day Decision Period: September 7, 2007

Ward: 6 **Neighborhood Organization:** Ventura Village

Existing Zoning: R4 (Multiple-family) district, NP (North Phillips Overlay) District

Proposed Zoning: Not applicable for this application.

Zoning Plate Number: 21

Lot area: 17,830 square feet .41 acres

Legal Description: Not applicable for this application.

Proposed Use: Replat .41 acres of property into seven lots for a cluster development.

Concurrent Review:

- Final Plat (PL-206)

Applicable zoning code provisions: Chapter 598, Land Subdivision Regulations

Background: The applicant proposes to replat .41 acres of property into seven parcels for a cluster development. The property is currently zoned R4 (Multiple-family) and

located within the NP (North Phillips Overlay) District. The proposed lot area for Lot 1 is 1,426.8 square feet or .033 acres; Lot 2 is 1,510.9 square feet or .035 acres; Lot 3 is 1,426.8 square feet or .033 acres; Lot 4 is 1,426.8 square feet or .033 acres; Lot 5 is 1,510.9 square feet or .035 acres; Lot 6 is 1,426.8 square feet or .033 acres and Lot 7 is 9,101.6 square feet or .209 acres. The Planning Commission approved the preliminary plat, rezoning, conditional use permits, variances and site plan applications at the November 13, 2006, City Planning Commission meeting.

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. Public Works has also reviewed the plat and has requested that a minor modification be made. Please see the attachments.

FINAL PLAT –

Required Findings:

1. Subdivision is in conformance with these land subdivision regulations, 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 side lot lines and 10 feet wide on rear lot lines, where no alley is provided. In order to be in conformance with the land subdivision regulations, a variance of Section 598.230 (5) is required to eliminate the drainage and utility easements. 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.

The site would be a fully developed property based on the approved proposal with buildings within the cluster development in close proximity to the property lines. The drainage and utilities would not match the required easement locations and are not necessary, so Staff recommends granting the variance.

ZONING CODE

With the previous approvals of the rezoning, conditional use permits, variances, site plan review, and preliminary plat, as well as the approval of the proposed final plat, this development would meet the applicable requirements of the R4 zoning district.

THE MINNEAPOLIS PLAN

According to the *Minneapolis Plan*, the subject properties are located approximately two blocks off of Bloomington Avenue which is a designated Community Corridor and two blocks off of Franklin Avenue which is a designated Commercial Corridor. The following policies are relevant to the proposed development.

- 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 proposes to construct six single-family dwelling units in a cluster development. 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 for a six-unit cluster development 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 users of the subdivision or the surrounding area because of flooding, erosion, high water table, soil conditions, improper drainage, steep slopes, rock formations, utility easements, or other hazard.

The site does not have steep slopes on the property.

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 lots being created by this plat present no foreseeable difficulties for the proposed development. No 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. 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 will not exceed the amount occurring prior to development.

Public Works will review and approve drainage and sanitary system plans before issuance of building permits.

RECOMMENDATION:

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the 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 final plat application and the drainage/utility easement variance for property located at 2111 and 2119 14th Avenue South, 1408 East 22nd Street.

Attachments:

1. Memo from Public Works
2. Letter from the City Attorney's office
3. Final plat
4. Site plan
5. Zoning map