

**Department of Community Planning and Economic Development**  
Rezoning  
BZZ-6317

**Date:** December 2, 2013

**Applicant:** Ray Kasemkhani and Naya Dubanaeva, property owners

**Address of Property:** 325 Ridgewood Avenue

**Project Name:** 325 Ridgewood Avenue Rezoning Request

**Contact Person and Phone:** Naya Dubanaeva, (612) 251-4495

**CPED Staff and Phone:** Aaron Hanauer, Senior City Planner, (612) 673-2494

**Date Application Deemed Complete:** November 12, 2013

**End of 60-Day Decision Period:** January 10, 2014

**End of 120-Day Decision Period:** March 11, 2014

**Ward:** 6                    **Neighborhood Organization:** Stevens Square/Loring Heights

**Existing Zoning:** OR2/High Density Office Residence District

**Proposed Zoning:** OR1/Neighborhood Office Residence District

**Zoning Plate Number:** 18

**Lot area:** 8,180 square feet or approximately 0.19 acres

**Legal Description:** That part of Lot 10 described as beginning at a point on the Easterly line of said Lot distant 86 feet Northeasterly from the Southeast corner of said Lot; thence Westerly to a point on the West line of said Lot distant 75 feet North from the Southwest corner of said Lot; thence North along the West line of said Lot to the Northwest corner of said Lot; thence Northeasterly along the Northerly line of said Lot to the Northeast corner of said Lot; thence Southwesterly along the Easterly line of Said Lot to the point of beginning, Block 5, Ridgewood Addition to Minneapolis, Hennepin County, Minnesota.

**Proposed Use:** Single-family residence

**Concurrent Review:**

- Petition to rezone the property located at 325 Ridgewood Avenue from the OR2/High Density Office Residence District to the OR1/Neighborhood Office Residence District to allow for a single-family residence.

**Applicable zoning code provisions:** Chapter 525, Article VI, Zoning Amendments

**Background:** The subject property is located in the Stevens Square/Loring Heights neighborhood. The house was originally built as a single-family residence in 1946 in a mid-century modern style by architect, Harlan McClure (1916-2001) for his home residence. McClure arrived in the Twin Cities shortly after serving as an officer in the U.S. Navy in World War II (Source: Minnesota Architects: A Biographical Dictionary). When living in Minneapolis (1946-1955), he was an instructor in the School of Architecture at the University of Minnesota. After this time, he moved to South Carolina to become the head of the Department of Architecture at Clemson.

There have been numerous additions and modifications made to the structure since the original construction. The building now has a gross floor area of approximately 5,200 square feet. In 1980, a building permit was pulled to convert the dwelling to an office (B501061). The applicant states that the building was used as a law office until 2005. After the law office vacated the property, the building was unoccupied until the applicants purchased the property in 2012.

Ridgewood Avenue from Pleasant Avenue to Lyndale Avenue South is primarily a mix of single-family and multifamily structures. The north side of Ridgewood Avenue directly across the street from the subject property has retained many of the original late 19<sup>th</sup> century/early 20<sup>th</sup> century residential structures. The south side of Ridgewood Avenue has had more of the original low-density residential structures replaced with apartment buildings.

In 1924, the zoning of properties along Ridgewood Avenue was residential. In 1963, the subject property was zoned to B1-3/Office-Residence District. In or around 1976, it was rezoned to B1-1/Office-Residence District and remained that way until 1999. From 1963 until 1999, the subject property was a legally conforming use in the B1-3 and B1-1 zoning districts (540.440 and 540.680 respectively).

In 1999, during the last major overhaul of the zoning code, the subject property was rezoned to OR2. Except for two properties that border Lyndale Avenue, all of the properties along Ridgewood Avenue between Lyndale and Pillsbury Avenue are zoned either OR1 or OR2. The OR1 zoning district allows single or two-family dwellings as a permitted use. The OR2 zoning district allows for single or two-family residences existing on the effective date of the ordinance (1999). At the time of the 1999 zoning code change, the subject property was an office use. Therefore, the subject property lost its rights to being a single-family dwelling in the OR2 zoning district.

**Proposal/request:** The applicant is proposing to rezone the property to OR1 to allow for the property to be used as a single-family house. The applicants state the rezoning request is to eliminate the obligation of having a portion of the house be devoted to commercial/office space, which then

triggers building accessibility requirements. No exterior changes are proposed to the structure at this time.

CPED Staff has not received official correspondence from the Stevens Square Community Organization or other stakeholders prior to the printing of this report. All correspondence received prior to the City Planning Commission meeting will be forwarded on for consideration.

## **REZONING**

### **Findings as Required by the Minneapolis Zoning Code:**

#### **1. Whether the amendment is consistent with the applicable policies of the comprehensive plan.**

The proposed rezoning is consistent with the applicable policies of the comprehensive plan. According to *The Minneapolis Plan for Sustainable Growth*, the future land use map identifies the subject parcel and their surrounding area as being within the mixed use category. The mixed use district is defined by the comprehensive plan as allowing “for mixed use development, including mixed use with residential. Mixed use may include either a mix of retail, office or residential uses within a building or within a district. There is no requirement that every building be mixed use.” The applicant’s proposal to rezone the property from OR2/High Density Office Residence District to OR1/Neighborhood Office Residence District will continue to allow for mixed uses as well as for standalone residential uses. According to the principles and polices outlined in the Minneapolis comprehensive plan, the following apply to this proposal:

- Land Use Policy 1.1 of *The Minneapolis Plan for Sustainable Growth* states, Establish land use regulations to achieve the highest possible development standards, enhance the environment, protect public health, support a vital mix of land uses, and promote flexible approaches to carry out the comprehensive plan. This policy includes the following applicable implementation steps: (1.1.1) Ensure that the City’s zoning code is consistent with The Minneapolis Plan and provides clear, understandable guidance that can readily be administered. (1.1.5) Ensure that land use regulations continue to promote development that is compatible with nearby properties, neighborhood character, and natural features; minimizes pedestrian and vehicular conflict; promotes street life and activity; reinforces public spaces; and visually enhances development.
- Land Use Policy 1.2 of *The Minneapolis Plan for Sustainable Growth* states, Ensure appropriate transitions between uses with different size, scale, and intensity.
- Land Use Policy 1.8 of *The Minneapolis Plan for Sustainable Growth* states, Preserve the stability and diversity of the city's neighborhoods while allowing for increased density in order to attract and retain long-term residents and businesses. This policy includes the following applicable implementation step: (1.8.1) Promote a range of housing types and residential densities, with highest density development concentrated in and along appropriate land use features.
- Housing Policy 3.6 of *The Minneapolis Plan for Sustainable Growth* states, Foster complete communities by preserving and increasing high quality housing opportunities suitable for all ages and household types. This policy includes the following applicable implementation steps: (3.6.1) Promote the development of housing suitable for people and households in all life

stages that can be adapted to accommodate changing housing needs over time. (3.6.4) Provide and maintain moderate and high-density residential areas, as well as areas that are predominantly developed with single and two family structures.

- Heritage Preservation Policy 8.1 of *The Minneapolis Plan for Sustainable Growth* states, Preserve, maintain, and designate districts, landmarks, and historic resources which serve as reminders of the city's architecture, history, and culture.
- Heritage Preservation Policy 8.8 of *The Minneapolis Plan for Sustainable Growth* states, Preserve neighborhood character by preserving the quality of the built environment.

There is not a small area plan that provides additional guidance for the subject property.

**2. Whether the amendment is in the public interest and is not solely for the interest of a single property owner.**

A rezoning from OR2/High Density Office Residence District to OR1/Neighborhood Office Residence District is in the public interest and not solely in the interest of the property owner. The proposed rezoning will help preserve the residential character of the subject property and the immediate surroundings, while also not eliminating the subject property from being an office or mixed-use building in the future.

**3. Whether the existing uses of property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification, where the amendment is to change the zoning classification of particular property.**

The general area is primarily single and multifamily residential uses, which is compatible with the applicant's proposed single-family use at 325 Ridgewood Avenue. The zoning classification of the property within the general area is also compatible with the proposed rezoning classification. The applicant is proposing to rezone the property from OR2 to OR1. Except for two properties that border Lyndale Avenue, all of the properties along Ridgewood Avenue between Lyndale and Pillsbury Avenue are zoned either OR1 or OR2. In addition, there is a stretch of OR1 zoning adjacent to the subject property on the north side of Ridgewood Avenue.

**4. Whether there are reasonable uses of the property in question permitted under the existing zoning classification, where the amendment is to change the zoning classification of particular property.**

Reasonable uses are allowed under the current zoning, OR2/High Density Office Residence District. The OR2 District allows more uses as permitted and conditional uses in comparison to the OR1 District. The additional uses include larger community residential facilities, residential hospice, supportive housing, vocational or business school, community center, and museum. However, the OR2 District does not allow for single or two-family dwellings that were not single and two-family dwellings at the time of the last major overhaul of the zoning code (1999).

**5. Whether there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its present zoning classification, where the amendment is to change the zoning classification of particular property.**

There has been a modest change in the character and trend of development in the area of the subject property that is similar to the applicant's proposal. From the 1950s through the 1980s many residential structures in the central part of the city were converted into multifamily structures and office uses. In recent years, some of the original single-family structures that changed uses in the mid-20<sup>th</sup> century are being reconverted back into single-family structures. This includes the Henry E. Ladd House at 131 Oak Grove Street and the Samuel J. Hewson House at 2008 Pillsbury Avenue.

**RECOMMENDATION**

**Recommendation of the Department of Community Planning and Economic Development for the rezoning:**

The Department of Community Planning and Economic Development recommends that the City Planning Commission and City Council adopt the findings and **approve** the rezoning of the property located at 325 Ridgewood Avenue from the OR2/High Density Office District to the OR1/Neighborhood Office Residence District.

**Attachments:**

1. Statement of proposed use, description of the project, statement to findings, property info
2. Correspondence council member and neighborhood
3. Zoning Maps and aerial
4. Survey, site plan, floor plans
5. Images
6. Permitted and conditional use tables for Office Residential Zoning Districts.