



CPED STAFF REPORT

Prepared for the Zoning Board of Adjustment
BOA Agenda Item #3
April 7, 2016
BZZ-7608

LAND USE APPLICATION SUMMARY

Property Location: 2820 Pillsbury Avenue
Project Name: Construction of a two-story duplex
Prepared By: Suado Abdi, City Planner, (612) 673-2467
Applicant: Jeff McElmury, on behalf of Bashir Garad Dahir
Project Contact: Suado Abdi
Request: To reduce required minimum lot area and increase maximum gross floor area to allow new duplex with an attached three-car garage.

Required Applications:

Variance	To reduce the minimum lot area required for new duplex from 10,000 square feet to 7,425 square feet.
Variance	To increase the maximum gross floor area from 5,000 square feet to 5,113 square feet for the construction of a duplex with an attached three-car garage has been returned to the applicant.

SITE DATA

Existing Zoning	R2B Two-Family District
Lot Area	7,425 square feet
Ward(s)	10
Neighborhood(s)	Whitter
Designated Future Land Use	Urban Neighborhood
Land Use Features	N/A
Small Area Plan(s)	N/A

Date Application Deemed Complete	February 3, 2015	Date Extension Letter Sent	Not Applicable
End of 60-Day Decision Period	May 6, 2016	End of 120-Day Decision Period	Not Applicable

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. The site is currently vacant; the two-story house formerly on the lot was demolished in 2010. The applicant is proposing to construct a new two-story duplex with an attached three-car garage accessed from the public alley. The site is zoned R2B Two Family District and is approximately 45 feet by 165 feet (7,425 square feet in area).

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The property to the north, 2816 Pillsbury Avenue, is a three-story flat roof apartment building with 24 units, zoned R3 Multiple Family District. The property to the south, 2824 Pillsbury Avenue is a two-story flat roof apartment building with 4 apartment units, zoned R2B Two Family District. Surrounding uses are composed of diverse residential densities, commercial and industrial warehouse uses. One block to the south is Karmel Plaza, a large shopping mall. The site is two blocks north of Lake Street.

PROJECT DESCRIPTION. The applicant is proposing to construct a two-story duplex with an attached three-car garage accessed from the public alley. For a new duplex, the minimum lot area required is 10,000 square feet in the R2B district. The existing lot is approximately 7,425 square feet in area. The applicant is seeking a variance to reduce the minimum lot area required for a new duplex from 10,000 square feet to 7,425 square feet.

The maximum gross floor area for a duplex is 5,000 square feet (2,500 sq. ft. per unit). The proposed gross floor area for the duplex with the attached three-car garage is 4,996 square feet. As shown on the table below, the proposed duplex meets the required setback, height, lot coverage, and impervious surface. As a new duplex, the project must meet the Design Standard points for new duplex. Seventeen points are the minimum point total needed for approval and this proposal received 17 out of 24 possible points for material, height, and 20 percent of windows on front elevation, basement, and an open front porch.

The applicant initially proposed a larger duplex with an attached three-car garage, which required a variance. However, the variance application has been returned to the applicant since the size of the duplex has been revised to meet the district requirement.

	Code Requirement R2B Two Family District	Proposed
Lot Area	10,000 square feet, for new duplex established after January 1, 1995.	7,425 square feet
Gross Floor Area (1st & 2nd Floors)	2,500 square feet per unit, total of 5,000 square feet for the duplex.	4,996 sq. ft. (duplex with attached garage per proposed lot size).
Height	2.5-stories <ul style="list-style-type: none"> • 28 feet to roof peak. 	2-stories flat roof <ul style="list-style-type: none"> • 21.57 feet to roof peak.
Lot Coverage	45%	39.3%
Impervious Surface	60%	55.1%
Setbacks	Front: 20 feet Sides: 6 feet Rear: 5 feet	Front: 38 feet Sides: 6 feet Rear: 46 feet

PUBLIC COMMENTS. As of writing this report, staff has not received any correspondence. Correspondence received prior to the public meeting will be forwarded on to the Zoning Board of Adjustment for consideration.

ANALYSIS

VARIANCE

The Department of Community Planning and Economic Development has analyzed the application for a variance to reduce required minimum lot area from 10,000 square feet to 7,425 square feet to allow the construction of a new duplex in the R2B Two Family District, based on the following findings:

1. *Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.*

The existing lot area creates a practical difficulty in complying with the minimum lot area requirement for a new duplex in the R2B Two Family District. The required minimum lot area for a new duplex is 10,000 square feet; however, this lot is 7,425 square feet. A lot area can be varied up to 30 percent and this application is seeking to vary the lot area by 25.75 percent. Using the existing lot area, the applicant has proposed a sizable duplex that meets all applicable zoning requirements.

The conditions upon which the variance is requested are unique to the parcel of land and were not created by the applicant.

2. *The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.*

The applicant is proposing to use the property in a reasonable manner consistent with the spirit and intent of the ordinance. A duplex is a permitted use in the R2B Two Family District. The total gross floor area of the proposed duplex is 4,996 square feet, which is slightly less than the maximum 5,000 square feet allowed. The proposed duplex appears to meet all applicable zoning requirements for setbacks, height, lot coverage, and impervious surface as shown in the table on page 2. The proposed project meets the following policies of the comprehensive plan:

- Policy 10.8: Strengthen the character and desirability of the city's urban neighborhood residential areas while accommodating reinvestment through infill development.
- Policy 10.8.1: Infill development shall reflect the setbacks, orientation, pattern, materials, height and scale of surrounding dwellings.
- Policy 10.8.7: Low density residential development proposals should be evaluated and compared to the form and density of the neighborhood.

3. *The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.*

The area around the subject property is a diverse mix of apartment units, single-family homes and duplexes, commercial uses, and industrial uses. There are two parcels across the alley (2817 and 2821 Pleasant Avenue South) that are duplexes zoned R2B district with similar lot area as the subject site. The proposed duplex will be compatible with surrounding uses in the area. Granting the variance will not alter the character of the locality or be injurious to the use or enjoyment of other

property in the vicinity. Health, safety, and welfare of the general public will not be impacted if the variance is granted.

RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the Zoning Board of Adjustment adopt staff findings for the applications by Jeff McElmury for the property located at 2820 Pillsbury Avenue:

A. Variance to reduce minimum lot area required for a new duplex.

Recommended motion: **Approve** the application to reduce the minimum lot area required for a new duplex from 10,000 square feet to 7,425 square feet, subject to the following conditions:

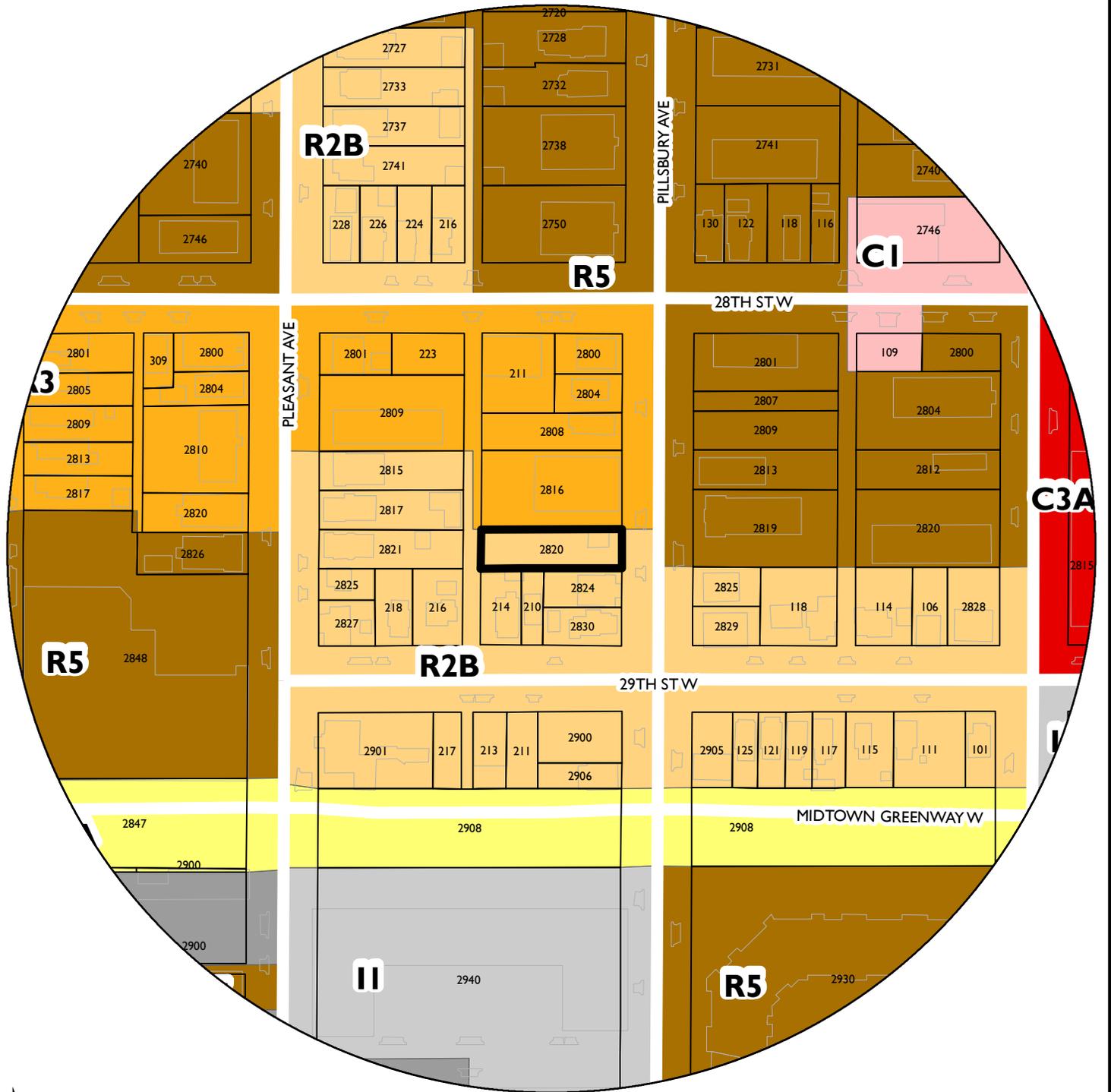
1. Approval of the final site, elevation and floor plans by the Department of Community Planning and Economic Development.
2. All site improvements shall be completed by April 7, 2018, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

B. Variance to increase maximum gross floor area for new duplex.

Recommended motion: The variance to increase the maximum gross floor area for the new duplex has been **returned** to the applicant.

ATTACHMENTS

1. Zoning map
2. Area Map
3. Description of project and finds by applicants
4. Site plan
5. Floor & Elevation Plans
6. Photos



PROPERTY ADDRESS
2820 Pillsbury Avenue

FILE NUMBER
BZZ-7608

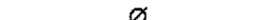
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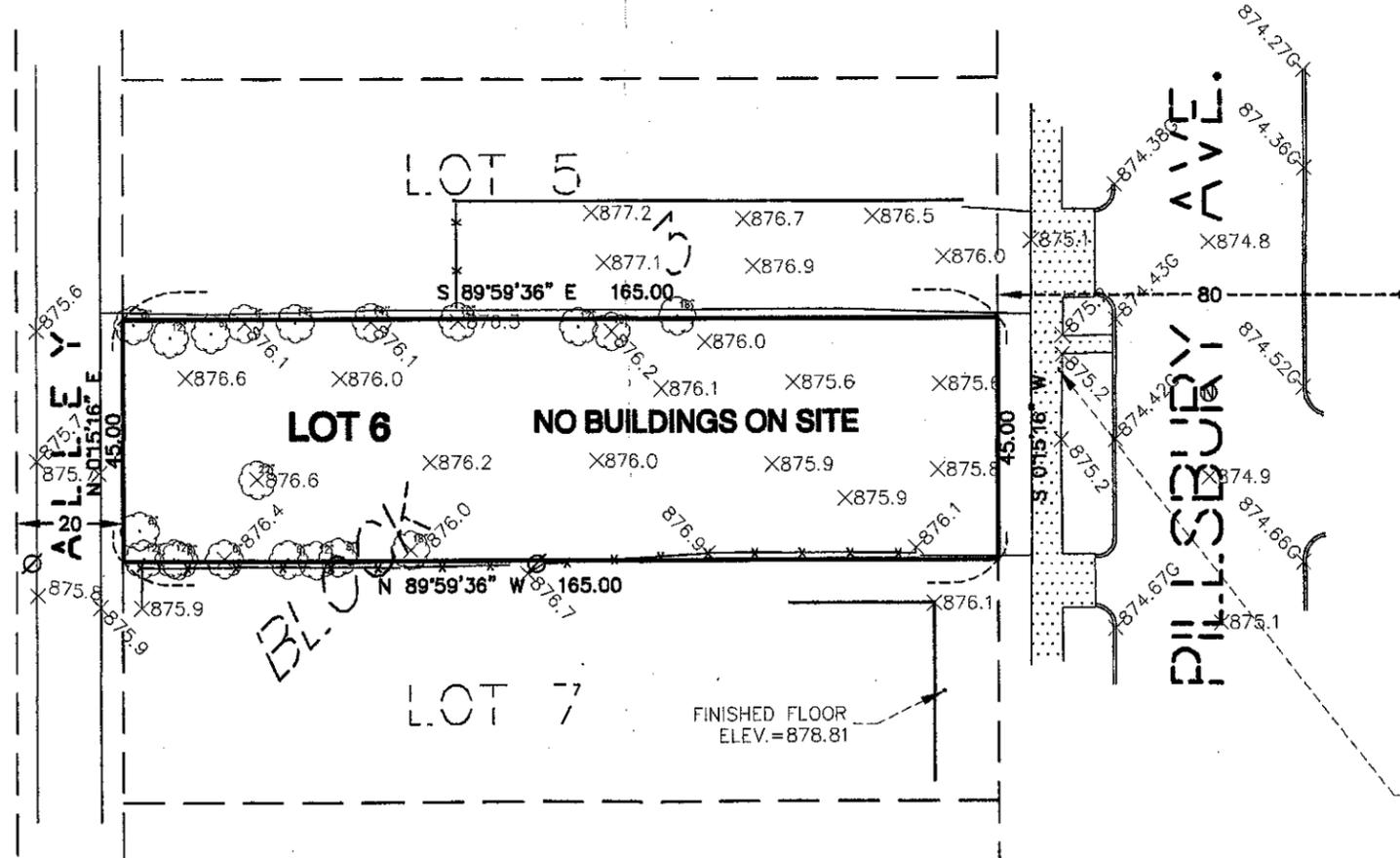
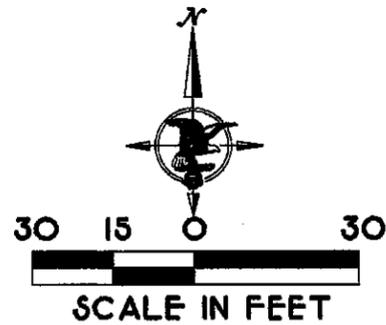
Lot 6, Block 3, LINDLEY & LINGENFELTERS ADDITION, Hennepin County, Minnesota.

GENERAL NOTES:

1. The bearing system used is assumed.
2. The location of the underground utilities shown hereon, if any, are approximate only. PURSUANT TO MSA 216D CONTACT GOPHER STATE ONE CALL AT (612) 454-0002 PRIOR TO ANY EXCAVATION.
3. Site area = 7425 square feet = 0.170 acres.
4. This survey was made on the ground.
5. No current title work was furnished for the preparation of this survey, legal description, recorded or unrecorded easements and encumbrances are subject to revision upon receipt of current title work.
6. Elevation datum is based on NAVD 88 data. 100.000 (NAVD 88) = 99.814 (NGVD 29) [Edina] Bench mark is located Top of Nail (AS SHOWN ON SURVEY) Elevation = 875.26

LEGEND

-  Property Monument
-  Concrete
-  Concrete Curb
-  Fence
-  Overhead Electric
-  Power Pole
-  Sanitary Manhole
-  Deciduous Tree (Dia. in In.)
-  Existing Spot Elev. Gutter
-  Existing Spot Elevation



HARRY S. JOHNSON CO. INC.
LAND SURVEYORS & CONSULTANTS
 9063 Lyndale Avenue South
 Bloomington, Mn. 55420
 (952) 884-5341
 (952) 884-5344 Fax
 Email: tom@hsjsurveyors.com
 Web: www.hsjsurveyors.com

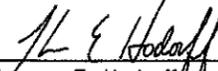


LOT CERTIFICATION SURVEY WITH TOPOGRAPHY
 for:
SABRI PROPERTIES
SITE: 2820 PILLSBURY AVENUE MINNEAPOLIS, MINNESOTA

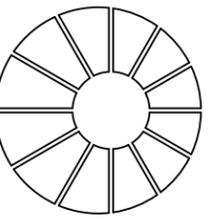
Page	4
Book	647
File No.	1-3-9288M
W.D. Number	2015485
CAD File	ONI
Sheet No.	1 OF 1

CERTIFICATION:

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

Date: February 1, 2016

 Thomas E. Hodorff
 Minn. Reg. No. 23677

HSJ BENCHMARK
 TOP OF NAIL
 ELEV.=875.26



DISEÑOS

P O BOX 26455
ST LOUIS PARK MN 55426

T 612.309.1234

DISEÑOS@ParkAtelier.com

DESIGN BY: © 2015

J W McELMURY

ISSUE DATE:

12 NOV 15

22 NOV 15

08 DEC 15

15 DEC 15

18 JAN 16

27 JAN 16

01 FEB 16

08 MAR 16

14 MAR 16

22 MAR 16

28 MAR 16

PROJECT:

DUPLEX for BASHIR GARAD DAHIR

2820 PILLSBURY AVENUE SOUTH
MINNEAPOLIS, MINNESOTA 55408

PIN: 34.029.24.34.0051

YEAR CONSTRUCTED: N/A

TITLE:

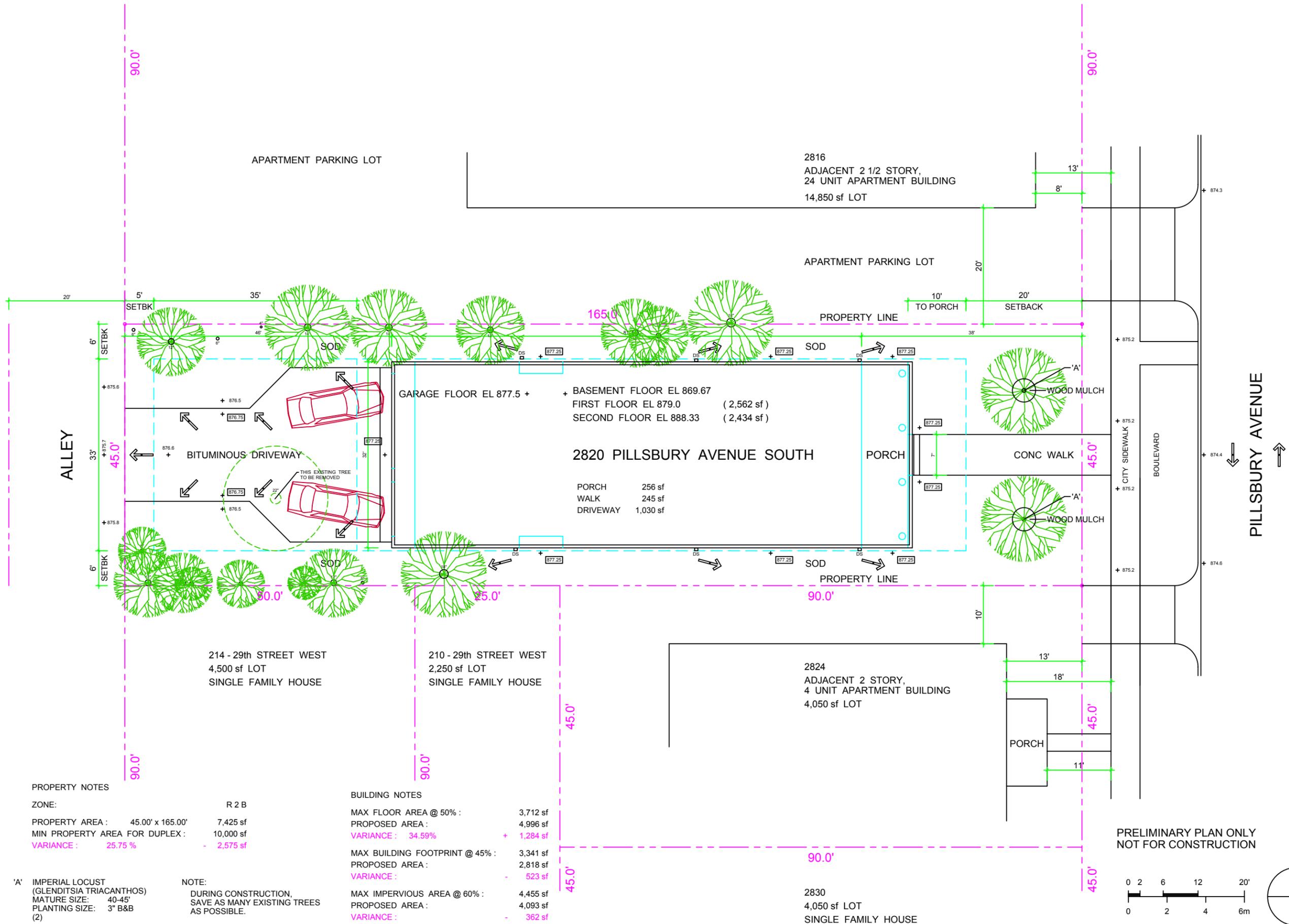
SITE PLAN & FLOOR PLANS

SCALE: 1/8" = 1'-0"

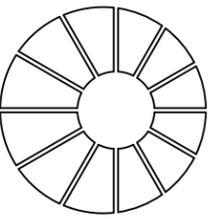
SHEET NO:

C 100

PROJECT NO: 14.01.001



PROJECT NO: 14.01.001



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J W McELMURY

ISSUE DATE:

- 12 NOV 15
- 08 DEC 15
- 18 JAN 16
- 01 FEB 16
- 08 FEB 16
- 16 FEB 16
- 14 MAR 16
- 22 MAR 16
- 28 MAR 16

PROJECT:

PROPOSED NEW CONSTRUCTION
DUPLEX for BASHIR GARAD DAHIR
2820 PILLSBURY AVENUE SOUTH
MINNEAPOLIS, MINNESOTA 55408

PIN: 34.029.24.34.0051

YEAR CONSTRUCTED:

TITLE:

FIRST
FLOOR PLAN

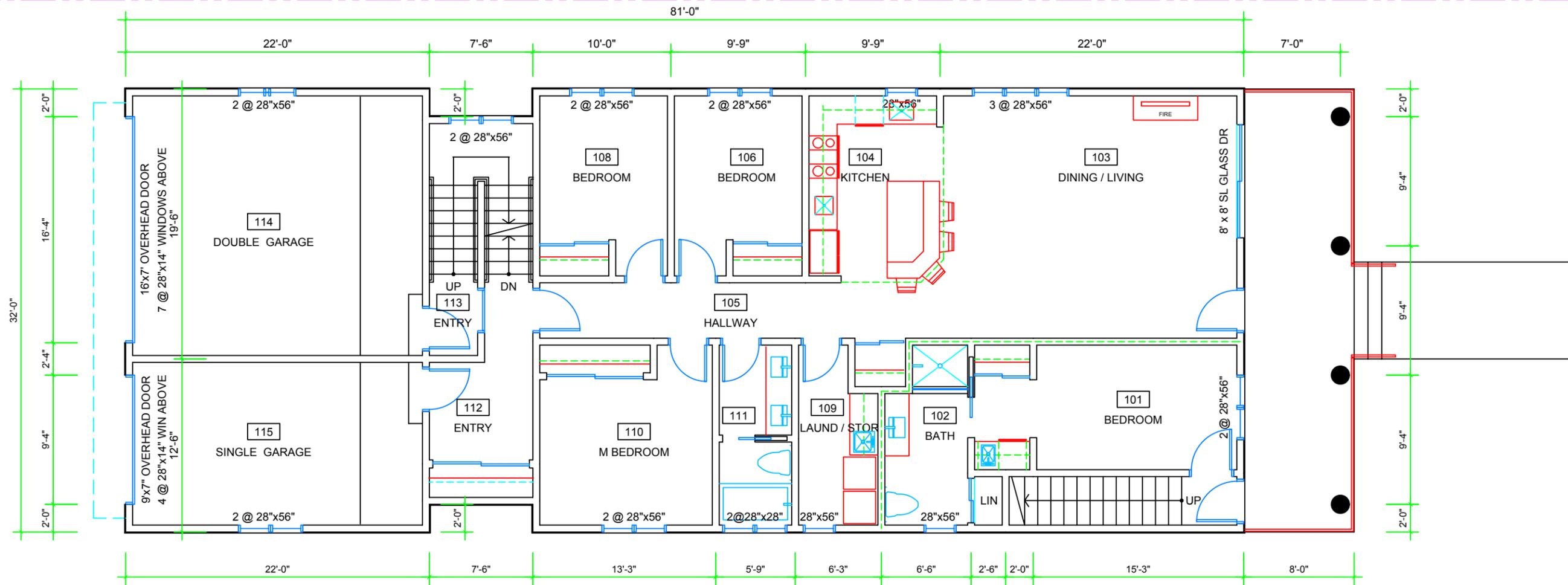
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SHEET NO:

A 101

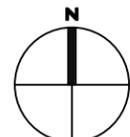
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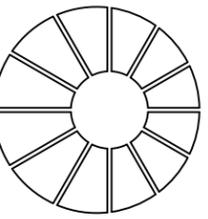
PROPERTY LINE



PROPERTY LINE

PRELIMINARY PLAN ONLY
NOT FOR CONSTRUCTION





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- 08 FEB 16
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- 14 MAR 16
- 22 MAR 16
- 28 MAR 16

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DUPLEX for BASHIR GARAD DAHIR

2820 PILLSBURY AVENUE SOUTH
MINNEAPOLIS, MINNESOTA 55408

PROPOSED NEW CONSTRUCTION

PIN: 34.029.24.34.0051

YEAR CONSTRUCTED:

TITLE:

SECOND FLOOR PLAN

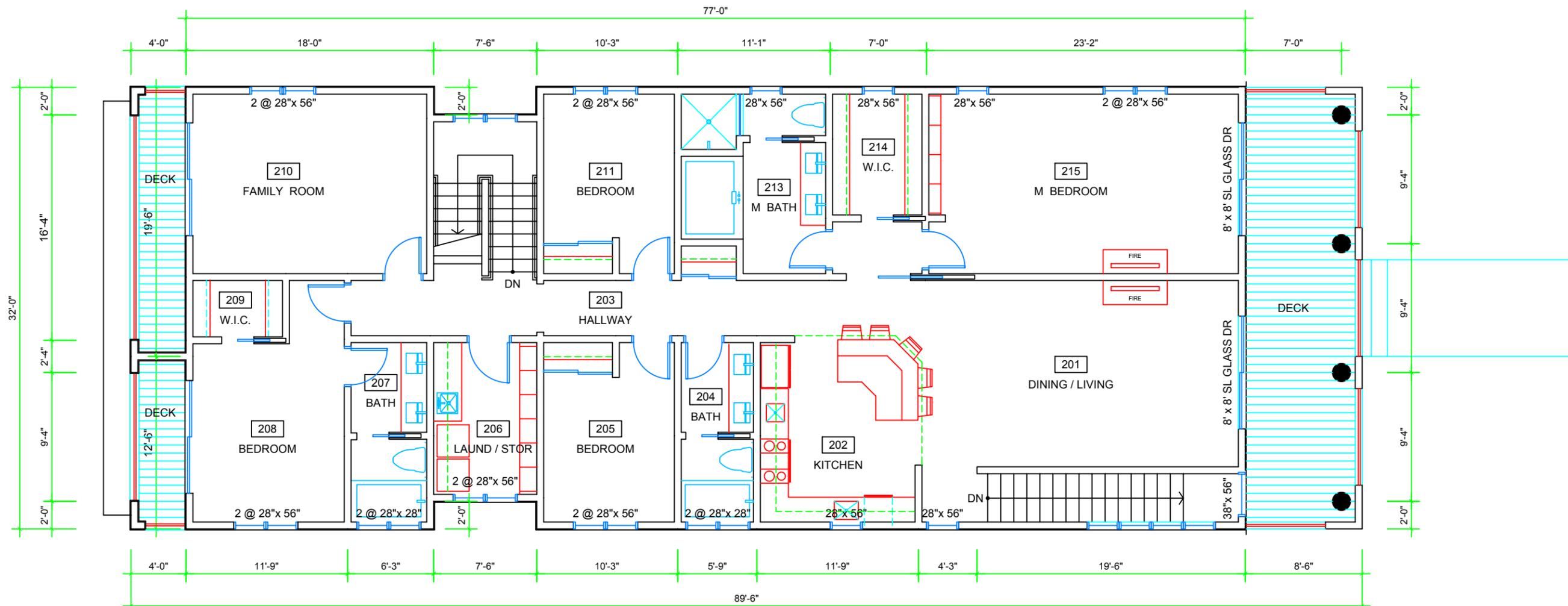
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SHEET NO:

A 102

PROJECT NO:

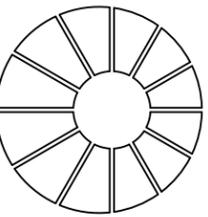
PROPERTY LINE



PROPERTY LINE

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NOT FOR CONSTRUCTION





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J W McELMURY

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08 FEB 16

16 FEB 16

14 MAR 16

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28 MAR 16

PROJECT:

PROPOSED NEW CONSTRUCTION
DUPLEX for BASHIR GARAD DAHIR
2820 PILLSBURY AVENUE SOUTH
MINNEAPOLIS, MINNESOTA 55408

PIN: 34.029.24.34.0051

YEAR CONSTRUCTED:

TITLE:

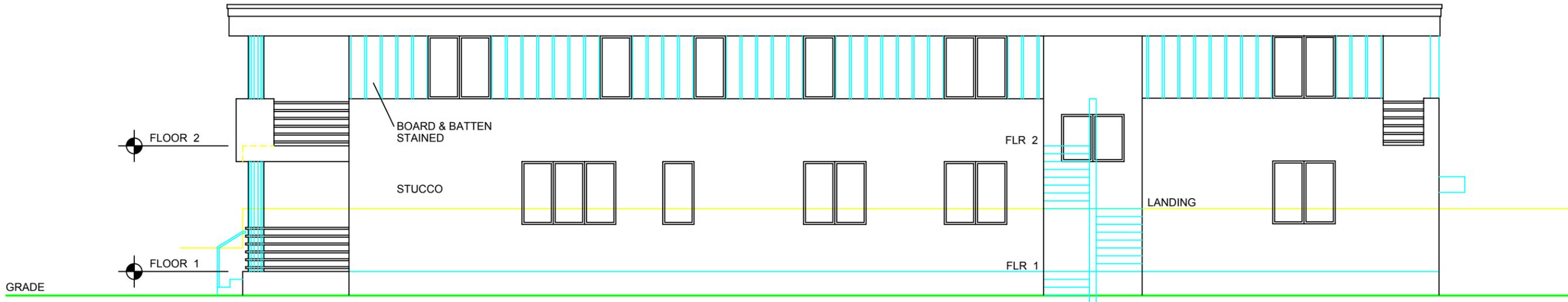
EXTERIOR ELEVATIONS

SCALE: 1/4" = 1'-0"

SHEET NO:

A 201

PROJECT NO:



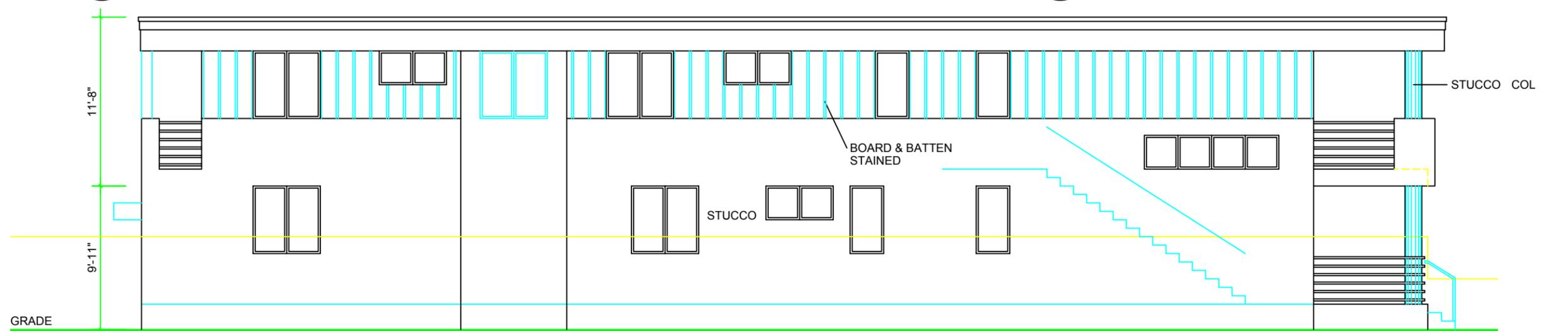
04 NORTH (SIDE) ELEVATION
A201



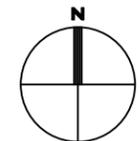
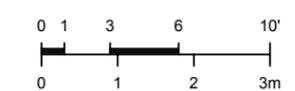
03 WEST (REAR) ELEVATION
A201



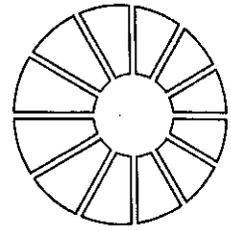
02 EAST (FRONT) ELEVATION
A201



01 SOUTH (SIDE) ELEVATION
A201



28 FEB 16



DISEÑOS

RE: 2820 PILLSBURY AVENUE SOUTH

1. SITE VARIANCE
Statement of Findings

This Property is zoned R2B and a Duplex is a permitted use, however, the area of the lot is only 7,425 sq ft – short of the 10,000 sq ft minimum requested by the City of Minneapolis.

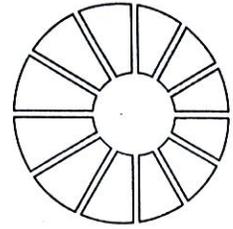
This Property is currently owned by the Applicant and was the only available property in this neighborhood.

The adjacent lots on each side of this property are occupied by large, multifamily apartment buildings, so this new building is in proportion to these uses. The duplex also falls within all site setbacks.

The proposed variance will not alter the character of these adjacent uses and parking for this duplex will be provided in an enclosed 3-car garage off the alley. There will be additional guest parking in the driveway, so the impact on neighborhood traffic and on-street parking would be minimal.

Since the building footprint and impervious areas are under the required maximums, there would still be over 3,000 sq ft left for landscaping.

28 FEB 16



DISEÑOS

RE: 2820 PILLSBURY AVENUE SOUTH

2. FLOOR AREA VARIANCE
Statement of Findings

This Property is zoned R2B so a Duplex is a permitted use, however, the total floor area for both units is 4,922 sq ft – over the 3,712 sq ft, which would equal 50% of the site area requested by the City of Minneapolis, but less than 50% of a 10,000 sq ft lot.

This Property is currently owned by the Applicant and a larger lot was not available in this neighborhood. The larger floor area is required by the applicant due to his extended family, and the larger family sizes of potential tenants.

In spite of the larger total floor area, the building footprint and impervious area are less than the maximum sizes requested by the City codes. The garage was moved forward and attached to the residence so that a larger second floor could be constructed (over the garage) without increasing the building footprint.

The overall size and scale of this duplex is in proportion to the larger multifamily apartments on each side of this property and the stucco and wood finishes are compatible with the neighborhood.

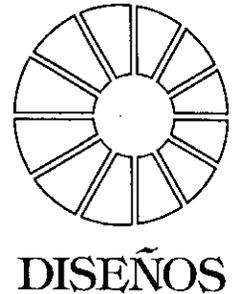
This larger building still leaves over 3,000 sq ft for landscaping and the maximum 60% impervious area requirement still allows for a front porch on each floor.

DISEÑOS P O BOX 26455 ST LOUIS PARK MN 55426-0455 T 612.309.1234

E-mail: DISENOS@ParkAtelier.com

25 JAN 16

RICARDO McCURLEY
WHITTIER ALLIANCE
10 EAST 25th STREET
MINNEAPOLIS MN 55404



Dear Ricardo McCurley:

My name is Jeff McElmury and I am the Designer of a Duplex proposed for Mr. Bashir Dahir at 2820 Pillsbury Avenue. I am writing to you to ask for your support for a variance we are seeking for this new Project.

This property is currently vacant and is zoned R 2 B, so a duplex is an approved use of the site, however the area of the property is only 7,425 sq ft, short of the 10,000 sq ft minimum requested by the City of Minneapolis. In addition, the overall floor area is over the 50% guideline requested by the City.

I have enclosed a print showing the Site Plan including Floor Plans of our proposed duplex, and also the Exterior Elevations.

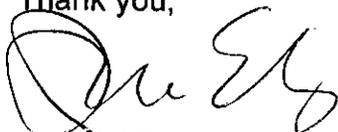
This duplex, although larger in area than 50% of the existing site, is smaller than 50% of the 10,000 sq ft normal duplex lot. The building footprint and impervious areas are smaller than the maximum areas for this lot.

As you can see, the duplex would have a 3 car garage, accessed from the alley and fall within all setbacks determined by City Zoning.

The Project would have a rental property on the First Floor as well as a Suite for the Owners Father, who has difficulty climbing stairs. The Second Floor would be occupied by the Owner's Family, which also includes his Mother-in-law.

I hope you will support this new addition to the neighborhood.

Thank you,

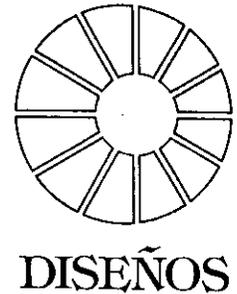


Jeff McElmury
DISENOS

DISEÑOS P O BOX 26455 ST LOUIS PARK MN 55426-0455 T 612.309.1234
E-mail: DISENOS@ParkAtelier.com

25 JAN 16

LISA BENDER
MINNEAPOLSI CITY COUNCIL
350 SOUTH 5th STREET, RM 307
MINNEAPOLIS MN 55415



Dear Council Member Bender:

My name is Jeff McElmury and I am the Designer of a Duplex proposed for Mr. Bashir Dahir at 2820 Pillsbury Avenue. I am writing to you to ask for your support for a variance we are seeking for this new Project.

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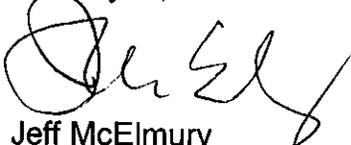
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Thank you,



Jeff McElmury
DISENOS

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E-mail: DISENOS@ParkAtelier.com



Subject Site 2820 Pillsbury Avenue

Pillsbury Ave S

Pillsbury Ave S



Photo taken from the Alley

Properties from
across the street



Pillsbury Ave S



Pillsbury Ave S