

**Department of Community Planning and Economic Development – Planning Division**  
**Preliminary Plat**  
**PL-197**

**Date:** May 8, 2006

**Applicant:** Eclipse Investments, LLC

**Address of Property:** 3216 25<sup>th</sup> Ave S & 2432 33<sup>rd</sup> St E

**Project Name:** Eclipse - Hiawatha

**Contact Person and Phone:** Robert Lindahl, 690 S Cleveland Ave, St. Paul MN 55116, (651) 696-5601

**Planning Staff and Phone:** Tara Beard, (612) 673-2351

**Date Application Deemed Complete:** April 7, 2006

**End of 120-Day Decision Period:** August 5, 2006

**Ward:** 9      **Neighborhood Organization:** Corcoran Neighborhood Organization

**Existing Zoning:** R4 Multiple Family District

**Zoning Plate Number:** 27

**Legal Description of Property:** The land referred to is situated in the State of Minnesota, County of Hennepin, and is described as follows:

3216 25<sup>th</sup> Ave S

Lots 14 through 20 including Block 2 including adjacent half of vacated street and all of adjacent vacated alley except highway.

Block 002

Parkers addition to Minneapolis

2432 33<sup>rd</sup> St E

Lots 1 to 7 including also lots 1 to 9 including block 1 Cathy A Perkins addition except highway including adjacent half of vacated street.

Block 003

Parkers addition to Minneapolis.

**Lot area:** 75,384 square feet

**Proposed Use:** The addition of two detached community residential facility dwelling units (for a total of seven) in an existing cluster development.

**Concurrent Review:** The applicant received approvals to rezone the properties on April 28, 2006 and conditional use permits to amend a cluster development and allow a community residential facility on March 27, 2006 (BZZ-2760).

**Applicable zoning code provisions:** Chapter 598, Land Subdivision Regulations

**Development Plan:** The site plan is attached.

**Background:** The applicant, Eclipse Investments, LLC, has recently received approvals to add two detached dwelling units to a 4-unit cluster development for persons with traumatic brain injuries at 3216 25<sup>th</sup> Ave S & 2432 33<sup>rd</sup> St E. A condition of these approvals was to re-plat the properties into one lot.

Staff has not received written correspondence from Corcoran Neighborhood at the printing of this report. The Corcoran Neighborhood supported the rezoning and conditional use permits referenced above.

## **PRELIMINARY 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. Further, as the project is a cluster development, the development is exempt from the public street frontage requirement of Section 598.230 and the design requirements of Sections 598.240 and 598.250.

Most design requirements in Chapter 598.260 are not applicable to this particular cluster development. A single owner will own all of the land and rent the property to residents as a part of the community residential facility, so there is no distinction between individual lots and common spaces in terms of ownership. Access to the lots that do not have frontage on a public street are shown on the preliminary plat and must also be shown on the final plat. There is no need for an owners' association, as there is only one owner; Eclipse Investments, LLC. All taxes, special assessments, and other charges and fees will be levied against the single owner. Since there is no distinguished common space in terms of land ownership, the applicant will indicate in a deed restriction that any disposition of any of the property shall not be made without the prior approval of the planning commission. Staff will be given a copy of such deed restriction.

## **ZONING CODE**

With the approval of the preliminary (and then final) plat this development and the prior approval of a Conditional Use Permit for a cluster development and a Conditional Use Permit for a community residential facility the project would meet the applicable requirements of the R4 zoning district.

THE MINNEAPOLIS PLAN

The Hiawatha Corridor, which the project site is adjacent to, is designated by *The Minneapolis Plan* as being in a Major Housing Site. Two long-range planning documents have been adopted that affect this site: the Corcoran Midtown Revival Plan and the Hiawatha/Lake [LRT] Station Area Master Plan.

Based on the policies stated below staff maintains that the proposed project is in conformance with *The Minneapolis Plan*.

- Minneapolis will grow by increasing its supply of housing.
- Improve the availability of housing options for its residents.
- Minneapolis will reasonably accommodate the housing needs of all its citizens.
- 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.

**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 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 not have steep slopes on the property. Current utility easements will be maintained. The proposed development should not present other hazards.

**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. 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.**

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

**RECOMMENDATIONS:**

**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 preliminary plat application for property located at 3216 25<sup>th</sup> Ave S & 2432 33<sup>rd</sup> St E.

**Attachments:**

1. Memo from Public Works
2. Preliminary plat
3. Site plan
4. Zoning map