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## **STAFF REPORT ADDENDUM**

**TO: City Planning Commission**

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CPED Planning Division**

**SUBJECT: Midtown Greenway Rezoning Study Staff Report Addendum**

**DATE: October 26, 2009**

Attached is the staff report for the October 26 public hearing for the Midtown Greenway Rezoning Study. This mailing includes public comments received since the first public hearing on October 13. Please refer to the October 13 mailing for the remainder of the attachments, including the maps and ordinance. The attached version of the staff report includes the staff recommendation that the City Planning Commission recommend approval of the zoning changes to the City Council, as well as a finding of impracticality regarding property owner signatures. This finding has been standard practice in rezoning studies and is explained further on page 4 of the staff report.

Following are two pieces of additional content for your consideration. First is a summary of additional comments received since October 13, followed by additional analysis of the implications of the R3 zoning district.

### **Comments Received**

Between the October 13<sup>th</sup> public hearing and the drafting of this addendum, three additional letters have been received. The first letter is from a business that would become non-conforming (see page 5 of the staff report for more information related to non-conformities). The second is from the Lowry Hill East Neighborhood Association. Staff appreciates the comments but feels the neighborhood suggestions are not the best zoning to address the future land use recommendations in the Uptown Small Area Plan. The third letter concerns the Cedar Lake Shores Townhomes (see page 8 of the staff report for more details on this situation). If additional comments are received between the printing of this addendum and the mailing, staff will include them in the packet.

### **Additional Analysis of the R3 District**

Much of the testimony at the October 13 public hearing focused on the rezoning of property to R3, and the perceived harmful effects of such a rezoning. The primary concern is that R3 allows multiple-family dwellings, and that property owners would have the option of adding a basement or attic unit to existing homes in such a manner that would detract from neighborhood quality of life. Page 4 of the staff report

outlines a number of reasons why staff does not anticipate low-quality conversions as a result of this zoning change, and points out that high-quality housing investments that incrementally increase density are fully consistent with the policies of the comprehensive plan in areas which the City Council has designated as medium-density housing. The goal of the medium-density designation in the adopted plans, as well as the accompanying R3 zoning district, is to allow high-quality housing investments that incrementally increase density in areas well-served by transit and/or other amenities such as retail or the Midtown Greenway.

Since the October 13 hearing, staff has conducted additional analysis regarding duplex and triplex conversions to help answer the question of the likelihood of future conversions following the proposed zoning changes. First, staff identified every property citywide which 1) contains an existing single-family home or duplex and 2) has the right to at least one additional dwelling unit under the existing zoning classification and lot area. This analysis shows that there are approximately 2,300 properties citywide that meet these criteria.

Next, staff analyzed citywide building permit data from the past ten years to identify trends in conversions affecting existing single family homes, duplexes, triplexes, and fourplexes. Since 1999, there have been 203 conversions of some kind among existing buildings of 1-4 dwelling units. Of those, 165 were unit reductions, mostly cases of converting a duplex to a single-family home. The remaining 38 conversions added one or more units to an existing single-family home, duplex, or triplex.

This low number of conversions, fewer than four per year among a possible 2,300, suggests that the barriers to low-quality conversions identified in the staff report are, in fact, keeping this type of activity to a minimum.