



**CPED STAFF REPORT**  
Prepared for the City Planning Commission

CPC Agenda Item #5  
August 11, 2014  
BZZ-6436

**LAND USE APPLICATION SUMMARY**

*Property Location:* 1121 Fillmore Street Northeast  
*Project Name:* 1121 Fillmore Street Northeast  
*Prepared By:* [Janelle Widmeier](#), Senior City Planner, (612) 673-3156  
*Applicant:* Testardo, LLC  
*Project Contact:* Greg Clemente, Testardo, LLC  
*Request:* To allow an office to be converted to a third dwelling unit.  
*Required Applications:*

<b>Rezoning</b>	The property of 1121 Fillmore St NE from R1A Single-Family District to R3 Multiple-Family District.
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**SITE DATA**

<b>Existing Zoning</b>	R1A Single-Family District
<b>Lot Area</b>	5,193 square feet
<b>Ward(s)</b>	1
<b>Neighborhood(s)</b>	Northeast Park Neighborhood Association
<b>Designated Future Land Use</b>	Urban Neighborhood
<b>Land Use Features</b>	Community Corridor (Broadway Street)
<b>Small Area Plan(s)</b>	Not applicable

<b>Date Application Deemed Complete</b>	July 7, 2014	<b>Date Extension Letter Sent</b>	August 1, 2014
<b>End of 60-Day Decision Period</b>	September 5, 2014	<b>End of 120-Day Decision Period</b>	November 4, 2014

## BACKGROUND

**SITE DESCRIPTION AND PRESENT USE.** An office and two dwelling units are located in the approximately 3,800 square foot building.

**SURROUNDING PROPERTIES AND NEIGHBORHOOD.** The site is located in a mixed use area. The surrounding residential properties are primarily single-family. However, a multiple-family dwelling with 4 units is located directly north of the subject property. A large United States Postal Service facility and the Armory are located across Fillmore Street, west of the site. There is also a mix of residential and commercial uses along Broadway Street in the immediate area.

**PROJECT DESCRIPTION.** The applicant is proposing to convert an office to a third dwelling unit at the subject property. The RIA district does not allow more than one dwelling unit or offices. The property has nonconforming rights for the existing uses, but adding dwelling units to nonconforming properties is prohibited. Therefore the applicant is proposing to rezone the property to the R3 district, which is the first district to allow a multiple-family dwelling with 3 units on a 5,193 square foot lot. By converting the office to a dwelling unit, the nonconforming rights to the office will be lost. The third unit will be located in the front of the building. Parking is located behind the building. Because the dwelling unit will be replacing an office, no additional parking is required. Compliance with applicable building codes and obtaining a building permit is required in addition to needing zoning approval.

**PUBLIC COMMENTS.** No correspondence has been received from the neighborhood group. Any correspondence received prior to the public meeting will be forwarded on to the Planning Commission for consideration.

## ANALYSIS

### REZONING

The Department of Community Planning and Economic Development has analyzed the application for a petition to rezone the property of 1121 Fillmore Street Northeast from RIA to R3 based on the following [findings](#):

- I. *Whether the amendment is consistent with the applicable policies of the comprehensive plan.*

The proposed zoning would be consistent with the applicable policies of *The Minneapolis Plan for Sustainable Growth*. The property is designated as urban neighborhood on the future land use map. The site is located a one-half block from Broadway Street, which is designated as a community corridor.

The following principles and policies outlined in the plan apply to this proposal:

Land Use Policy 1.8: 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.

Housing Policy 3.1: Grow by increasing the supply of housing.

3.1.1 Support the development of new medium- and high-density housing in appropriate locations throughout the city.

The site is located in a mixed use area in close proximity to a community corridor. The building was originally built as a place of assembly. The part of the building that will be converted to the dwelling unit was most recently used as an office. Establishing a medium density use would be compatible with the surrounding uses and would contribute to the stability of the neighborhood by allowing the reuse of an existing structure.

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

The site is located in a mixed use area in close proximity to a community corridor. The building was originally built as a place of assembly. The part of the building that will be converted to the dwelling unit was most recently used as an office. Establishing a medium density use would be compatible with the surrounding uses and would contribute to the stability of the neighborhood by allowing the reuse of an existing structure. The amendment is in the public interest and not solely in the interest of the property owner.

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.*

Zoning classifications in the immediate area include residential, commercial and industrial. As described above, there is also a mix of uses. The subject property is located in an area zoned R1A. South of Broadway Street, the residential zoning changes to R2B. Although there is no other R3 zoning in the immediate area, the proposed zoning will be compatible with the surrounding uses and zoning classifications.

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.*

Under the R1A district, the existing uses are not allowed. The property has nonconforming rights for the existing uses, but adding dwelling units to nonconforming properties is prohibited. The R3 district is the first district to allow a multiple-family dwelling with 3 units on a 5,193 square foot lot. The approximately 3,800 square foot building was originally built as a place of assembly. The part of the building that will be converted to the dwelling unit was most recently used as an office. Rezoning the property will result in a conforming use and the reuse of an existing structure.

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.*

In 1974, the site was rezoned from R3 to B3C-1 (similar to the current C4 district). The zoning was changed to R1A in 1991 when a City-wide rezoning study changed the zoning of many R3 properties to lower density zoning districts. Although it wasn't zoned R3 at the time, it was likely down-zoned because the surrounding residential properties were located in a large swath of R3 zoning. Since that time, there has been little, if any, change in the character or trends of development in the immediate area.

**FOR REZONINGS ONLY**

**ZONING PLATE NUMBER.** 10

**LEGAL DESCRIPTION.** Lot 7, Block 1, Cummings 2<sup>nd</sup> Addition to Minneapolis.

## RECOMMENDATIONS

### **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 above findings and **approve** the rezoning petition to change the zoning classification of the property located at 1121 Fillmore Street Northeast from the R1A District to the R3 District.

## ATTACHMENTS

1. Written description submitted by applicant
2. Rezoning matrix
3. Zoning map
4. Site plan
5. First floor plan
6. Photo

# Greg Clemente

1123 Fillmore ST NE #2 • Minneapolis, MN 55413 • Phone: 651.808.3683 • Fax: 651.925.0038

Date: February 4, 2014

Kevin Reich  
Council Member Ward 1  
350 S. 5<sup>th</sup> St. Room 307  
Minneapolis, MN 55415

CC: Brian Steele  
Chair, NEPNA

Mr. Reich:

February 7, 2014, my zoning change request for 1121 Fillmore ST NE (13-029-24-24-0033) will be submitted to the City Planning office. The property, located in a R1A zone, consists of two dwelling units and an office. My approved land use application for a zoning change to R3 would allow an additional dwelling unit. Part of the office would change to a dwelling unit.

Thank you and please advise if you have any questions,

 2-4-14

Greg Clemente

	<b>R1A</b>	<b>R3</b>
	Single-Family District	Multiple Family District (Medium Density)
<b>FAR</b>		
<b>Base FAR Maximum</b>	<b>0.50</b>	<b>1.00</b>
20% bonus for enclosed, underground or structured parking	n/a	0.20
20% bonus for 50% ground floor commercial	n/a	n/a
20% bonus for 20% affordable units	n/a	0.20
<b>Total possible FAR</b>	<b>0.50</b>	<b>1.40</b>
Required lot area per dwelling unit (sq. ft.)	5,000	1,500
<b>Possible DU Bonuses:</b>		
20% bonus for enclosed, underground or structured parking		Y
20% bonus for 50% ground floor commercial		
20% bonus for 20% affordable units		Y
Base building height maximum (in stories)	2.5	2.5
Maximum size of retail store (sq. ft.)	0	0
Maximum Lot Coverage	50%	50%
Maximum Impervious Surface Coverage	65%	65%
<b>Yard Requirements</b>		
Front	20	20
Interior side or rear <sup>1</sup>	5 (+2X) <sup>1</sup>	5 (+2X) <sup>1</sup>
Corner Side	8 (+2X) <sup>1</sup>	8 (+2X) <sup>1</sup>
<b>Drive-through permitted?</b>	<b>N</b>	<b>N</b>

**Notes:**

1 - (2X) is added for uses that are not SFDs, 2FDs, or CRFs serving 1-6 persons

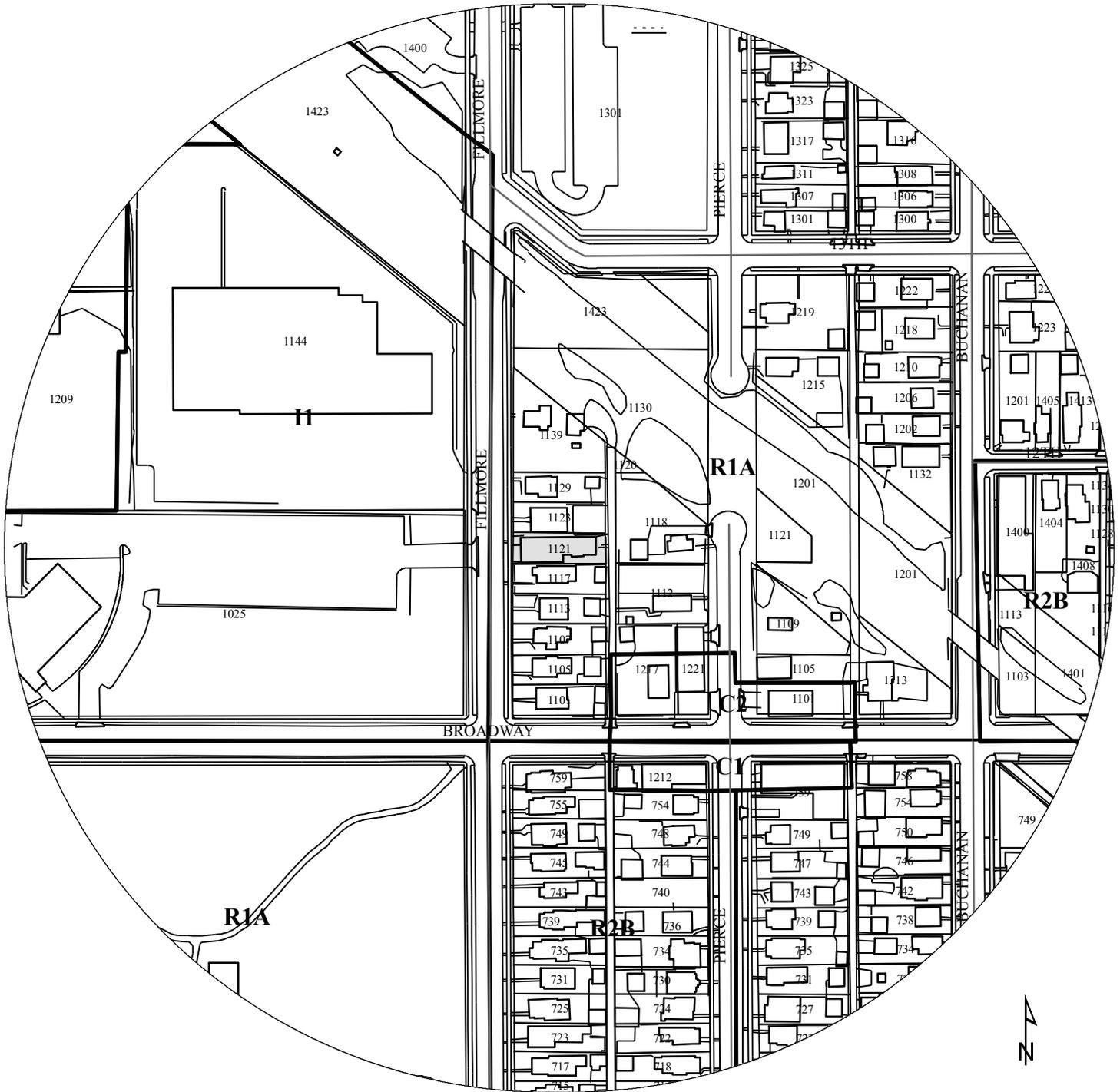
2 - For residential uses and hotels

**Greg Clemente**

**1**

NAME OF APPLICANT

WARD



PROPERTY ADDRESS

**1121 Fillmore St NE**

FILE NUMBER

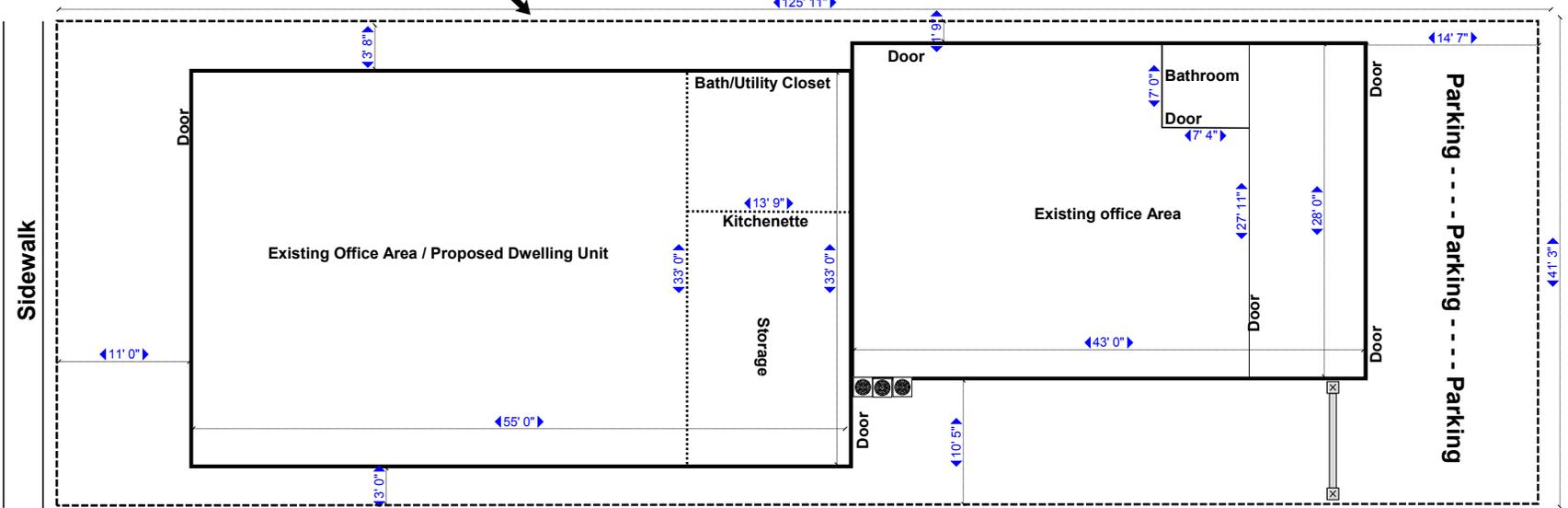
**BZZ-6436**

1121 Fillmore ST NE  
02/05/2014 Office



Four unit apartment building  
to North

Property Line



Fillmore ST NE

Sidewalk

USPS and Army to West

Single Family to  
East & South

Parking - - - - Parking - - - - Parking

Alley

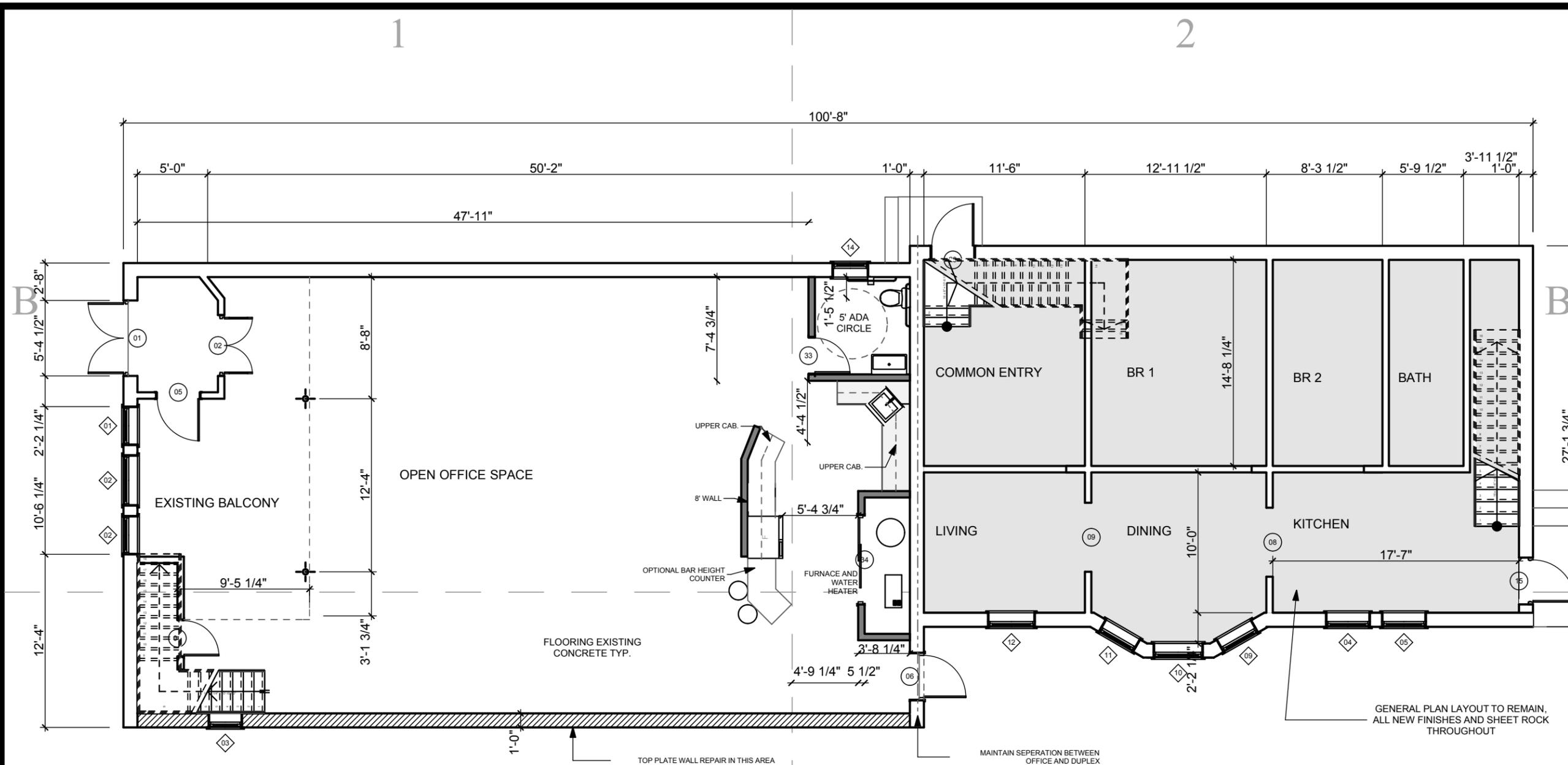
CONSULTANTS

VANESSA BARNHART

CLIENT: GREG  
 CLEMENTE

ADDRESS: 1121  
 FILLMORE ST NE,  
 MPLS, MN

1, AUGUST 2011



**1** 1st Floor Plan "After"  
 SCALE: 1/8" = 1'-0"

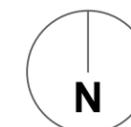


**GENERAL PROJECT NOTES**

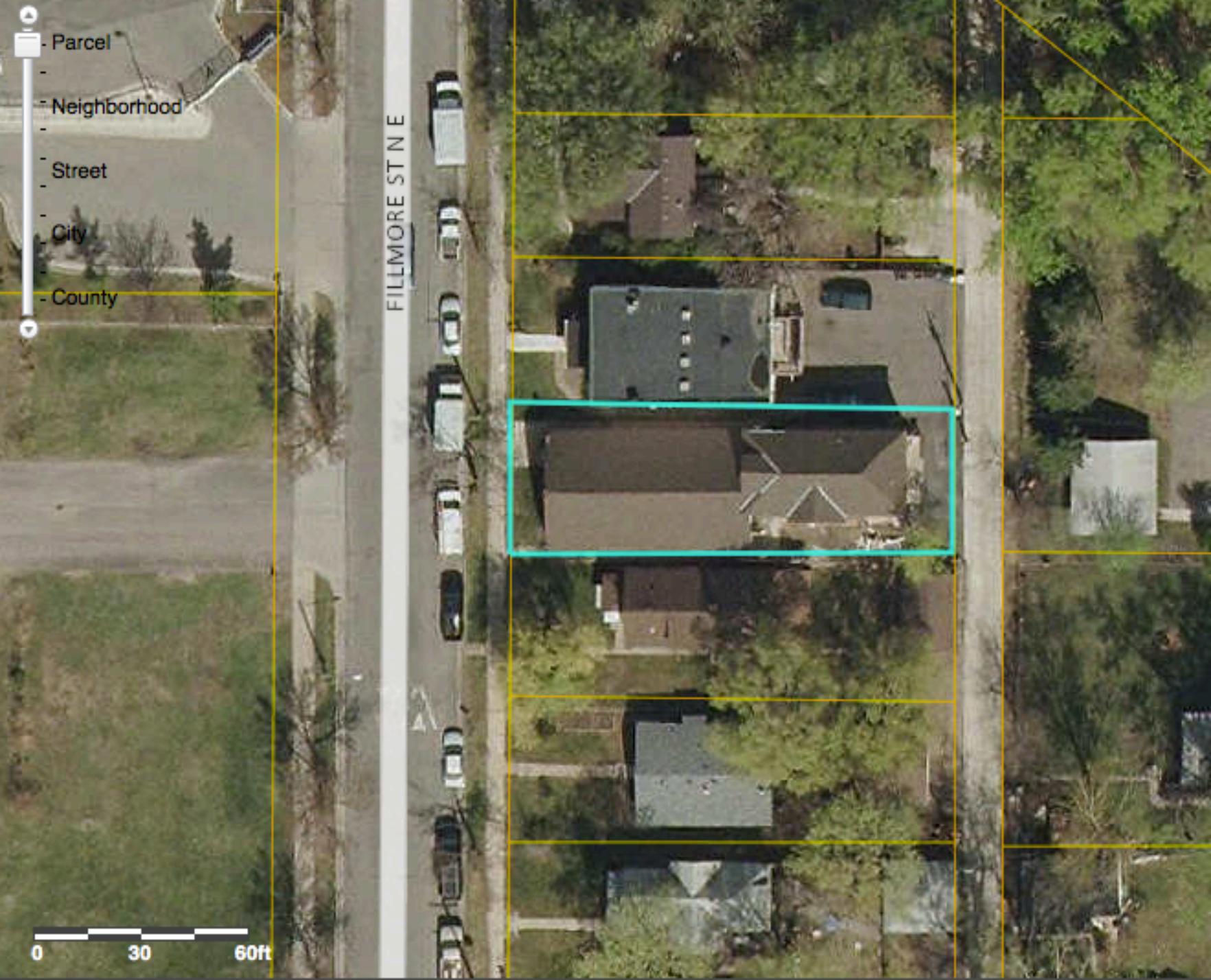
ALL NEW WALLS HATCHED  
 GREY , 2X4 W/ 1/2" GYP. BOARD  
 EACH SIDE TYP.

SEE SPECIFICATIONS FOR FIRE  
 RATED WALL SEPERATION  
 DETAILS AND MATERIAL USAGE

SHEET TITLE



**A-101**



FILLMORE ST NE



- Parcel
- Neighborhood
- Street
- City
- County

0 30 60ft



OK  
24  
P 8/16