



Legislation Details (With Text)

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**On agenda:** 10/15/2020      **Final action:**

**Title:** Consider Resolution for a Variance Request for the First Phase of the Bluff View Subdivision.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 1 - ZBA Resolution, 2. 2 - Exhibit A, 3. 3 - Location Map, 4. 4 - Phase 1 Bluff View Subdivision - Garage Variance Exhibit

Date	Ver.	Action By	Action	Result
10/15/2020	1	Zoning Board of Appeals	deny	Fail

**Meeting Date:** October 15, 2020

**To:** Members of the Zoning Board of Appeals

**From:** Mikayla Schmidt, City Planner

Consider Resolution for a Variance Request for the First Phase of the Bluff View Subdivision.

**Action Requested:**

The Zoning Board of Appeals is requested to approve allowing three quad-lots (fronting and on the north side of Ford Street) to be constructed with street-facing attached garages for the first phase of the Bluff View Subdivision.

**Summary Report:**

Johnson Reiland Remodelers & Builders, Inc. requests a variance for the first phase of Bluff View Subdivision. The first phase will create five twin-home lots and three quad-lots on land located where Ford St. S. terminates to the west. The units planned to be built on the quad-lots will be designed to be zero-entry accessibility, which are aimed at supporting the senior and disabled populations.

The variance request is from Section 2.9.15(A)(d) - which states garages are to be located to the side or rear of the building. Johnson Reiland is requesting a variance from this to the three quad-lots homes (fronting and on the north side of Ford Street) to be constructed with street-facing attached garages rather than garages located to the side or rear of the building.

The criteria for approving a variance, according to Section 5.5.16(C), are as follows:

(1) Pursuant to Minn. Stat. §462.357, Subd 6, as it may be amended from time to time, the zoning board of appeals may only grant applications for variances where practical difficulties in complying with this LDC (Land Development Code) exist and each of the following criteria are satisfied:

- (a) The variance is in harmony with the general purposes and intent of this LDC; and,

- (b) The variance is consistent with the Comprehensive Plan; and
- (c) The property owner proposes to use the property in a reasonable manner not permitted by this LDC; and
- (d) The plight of the landowner is due to circumstances unique to the property not created by the landowner; and
- (e) The variance, if granted, will not alter the essential character of the locality.

**Findings of Fact:**

Northfield Land Development Code, Section 2.9.15(d) Garages serving multi-family buildings shall be located to the side or rear of such buildings. Analysis of the variances requested is addressed below.

**Criterion (a) The variance is in harmony with the general purposes and intent of the LDC.**

The Preliminary Plat was approved for these lots with the intended use of the units as proposed. The zoning code addresses garage standards for 1, 2 and 3-unit homes and for larger residential buildings but does not directly address quad unit garage standards.

The proposed front-loading garages for the twin and quad homes uphold the general intent of the Northfield Land Development Code by complying with the development standards of height and setback requirements for the N2-B zone district. The size and massing of the garage does not change regardless of the loading direction. A front-loading garage, as proposed, can accomplish the goals of a side-loaded garage through integrating features such as garage doors with windows and other design enhancements.

**Finding - Criterion (a):**

The project is in harmony with the general purposes and intent of the LDC. The proposed subdivision is consistent with the general goals for the N2 zone district. It creates a pedestrian-friendly environment by having sidewalks on both sides of Ford St., as well as connecting a trail from Spring Creek Townhomes 2<sup>nd</sup> Addition to the north, which will then cross Ford St. and loop west behind the townhomes of the first phase. The subdivision extends Ford St., which will eventually connect to future phases. The lots are consistent in block size, the development is compact, the architecture of the buildings will be similar, but differentiated, and the homes will be in close proximity to the street.

The Land Development Code was adopted to protect and promote the public health, safety, morals, and general welfare of the city. More specifically, the purpose of these regulations is to:

- 1.1.1 Maintain and enhance the community's distinct small town character.
- 1.1.2 Preserve and protect the area's natural, historic, and cultural resources while providing for improved methods of integrating these resources in the community.
- 1.1.3 Encourage growth in infill locations as the desired location of development with expansion on the edge of the city a secondary priority.
- 1.1.4 Create residential community areas with strong neighborhood qualities including pedestrian-friendly streets, community gathering spaces, and basic commercial needs within walking distance.
- 1.1.5 Encourage the development of neighborhoods that incorporate a variety of housing types to serve the needs of a diverse population.
- 1.1.6 Allow for places with a mixture of uses that are distinctive and contribute to the city's overall vitality.
- 1.1.7 Provide standards and guidelines for continuing strategic growth and sustainable development.
- 1.1.8 Provide for the expansion and diversification of the economic base to assure a strong economy.
- 1.1.9 Promote an ethic of sustainability in all activities to ensure that proposed development and redevelopment will, at a minimum, conserve energy and natural resources.

- 1.1.10 Improve and promote connectivity to better serve residents and to improve the function of the overall street network.
- 1.1.11 Ensure that proposed development is of human scale, primarily pedestrian-oriented to the extent appropriate, and designed to create exceptional streetscapes and pedestrian spaces.
- 1.1.12 Minimize vehicle traffic by providing for a mixture of land uses, pedestrian-oriented development, compact community form, safe and effective multi-modal traffic circulation (e.g., pedestrian, bicycle, and vehicular), and adequate on- and off-street parking facilities.
- 1.1.13 Protect the rural character of certain areas of the community as identified in the comprehensive plan.
- 1.1.14 Encourage vibrancy in the downtown core and fringe areas.
- 1.1.15 Ensure compatibility between different types of development and land uses.
- 1.1.16 Create a comprehensive and stable pattern of land uses upon which to plan transportation, water supply, sewerage, energy, and other public facilities and utilities.

The proposal is not in conflict with any LDC goals. It meets the following purposes:

- 1.1.1 Maintain and enhance the community's distinct small town character.
- 1.1.2 Preserve and protect the area's natural, historic, and cultural resources while providing for improved methods of integrating these resources in the community.
- 1.1.3 Encourage growth in infill locations as the desired location of development with expansion on the edge of the city a secondary priority.
- 1.1.4 Create residential community areas with strong neighborhood qualities including pedestrian-friendly streets, community gathering spaces, and basic commercial needs within walking distance.
- 1.1.5 Encourage the development of neighborhoods that incorporate a variety of housing types to serve the needs of a diverse population.
- 1.1.10 Improve and promote connectivity to better serve residents and to improve the function of the overall street network.
- 1.1.11 Ensure that proposed development is of human scale, primarily pedestrian-oriented to the extent appropriate, and designed to create exceptional streetscapes and pedestrian spaces.
- 1.1.12 Minimize vehicle traffic by providing for a mixture of land uses, pedestrian-oriented development, compact community form, safe and effective multi-modal traffic circulation (e.g., pedestrian, bicycle, and vehicular), and adequate on- and off-street parking facilities.

**Criterion (b) The variance is consistent with the Comprehensive Plan.**

The Land Use chapter of the Comprehensive Plan will be consulted for any development proposal based on the following steps. If a proposal is not consistent with recommendations of any one of these steps, the proponent should re-evaluate and make adjustments (or provide justification for deviation) if the proposal is not aligned with the following three aspects:

- 1. Intent:** Development proposals will reflect the spirit and values expressed in the 12 principles (statements of intent) (pages 4.9 to 4.13).
- 2. Location:** Development proposals will be consistent with the Conservation and Development Map (page 4.18) and location descriptions (pages 4.14 to 4.15).
- 3. Character:** Development proposals will be consistent with the Framework Map (page 4.19) and recommendations and context descriptions (pages 4.15 to 4.17).

**Finding - Criterion (b):**

The variance is consistent with the Comprehensive Plan.

**Intent:**

**1. The small town character will be enhanced.**

The proposal is to construct five twin-home lots and three quad-homes lots. Each of the units will have front porches and other architectural features that are consistent and enhance the small town character of Northfield.

**2. The natural environment will be protected, enhanced and better integrated in the community.**

This subdivision will help protect, enhance and better integrate the natural environment in the community. The development would provide two different housing products, twin and quad homes, that provide variety from the common single-family house. This density helps to preserve the surrounding natural spaces and farm land. Johnson Reiland has the preliminary plat approved, which shows sidewalk connections and trail connections that will be built as part of this project, which better integrate the natural environment into the community.

**3. The preference for accommodating future growth is in infill locations, then redevelopment/ land intensification opportunities, and then on the edge of existing developed areas.**

This project was intended to begin further development in 2009 by ARCON. The “Great Recession” halted its progress and now this subdivision will continue to infill this area, though it is on the edge of existing developed areas. Currently, vacant buildable land is low within city limits, so infill of this area supports this goal of the comprehensive plan.

**4. New and redeveloped residential communities (areas) will have strong neighborhood qualities.**

The proposed project will have strong neighborhood qualities such as being setback similarly to the neighboring homes, close proximity to the street, compact development, sidewalks and other architectural features like front porches.

**5. Environmentally-sensitive and sustainable practices will be integrated into new developments and redeveloped areas.**

The proposed home infills a vacant lot within city limits instead of expanding infrastructure outside city limits. This is a sustainable practice and continues a neighborhood fabric/grid to the adjoining subdivisions.

**6. Places with a mix of uses that are distinctive and contribute to increasing the city’s overall vitality are preferred.**

N/A

**7. Neighborhood-serving commercial will be small scale and integrated with the residential context.**

N/A

**8. A wider range of housing choices will be encouraged - in the community as well as in neighborhoods.**

The proposed project contributes to the city by providing much needed multi-family housing and provides zero-entry accessible homes.

**9. Rural character of certain areas of the community will be protected.**

The infill of this portion of Southbridge 2<sup>nd</sup> Addition helps preserve the rural character surrounding city limits.

**10. Streets will create an attractive public realm and be exceptional places for people.**

The project's streets will contain street trees every 40 feet and will have sidewalks on both sides of Ford St.

**11. Places will be better connected, in part to improve the function of the street network and also to better serve neighborhoods.**

The project's streets will contain sidewalks on both sides of Ford St. The project also continues a trail connections from Spring Creek Townhomes 2<sup>nd</sup> Addition to the north.

**12. Opportunities will be created to walk and bike throughout the community.**

The project will create several opportunities to walk and bike by providing sidewalks on both sides of Ford St. as well as the trail connection from Spring Creek Townhomes 2<sup>nd</sup> Addition to the north.

**Location:**

The lot is denoted as "Pipeline" land within the city on the Conservation & Development map.

**Character:**

The parcel is located in the "Neighborhood General 1" area of the Framework Map, typified by single-family homes.

**Criterion (c) Property Owner proposes to use the property in a reasonable manner not permitted by the LDC.**

**Finding:**

The proposed use is compliant with the zone district land density and use requirement. However, the density cannot be achieved with side loaded garage since that requires more space for vehicular movements. The city has identified this housing type and density suitable for the property and no particular standards exist for quad units garages.

**Criterion (d) The plight of the landowner is due to circumstances unique to the property not created by the landowner.**

**Finding:**

This housing type was approved as slab-style row-style townhomes and side-loaded garages do not fit for needed vehicular movement and front loaded garages. The depth of the lot is narrowed to enable the development to the north and create an outlot for storm water retention areas. Placement of garages to the side or rear of the proposed buildings, if possible, would greatly increase the amount of impervious surface on the site, leave less buffer area between the development and the retention areas, and potentially constrain the proposed trail connection.

**Criterion (e) The variance, if granted, will not alter the essential character of the locality.**

**Finding:**

The newer development directly to the east consists of twin and quad homes, all with front loading garages. The proposal would provide continuity with the adjacent development. To the south, the land is vacant and to the west across Dennison Boulevard is a school. The proposed site is not a highly visible location and does not have any negative impacts to the character to the area.

**Staff Recommendation:**

Staff supports approval to allow three quad-lots (fronting and on the north side of Ford Street) to be constructed with street-facing attached garages for the first phase of the Bluff View Subdivision.

**Alternative Options:**

1. The Zoning Board of Appeals could deny the request.
2. The Zoning Board of Appeals could approve one of the variances.

**Financial Impacts:**

There are no direct financial impacts to the City due to approving the variance.

**Tentative Timelines:**

The applicant plans to begin construction in 2021.