



Legislation Text

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**Date:** February 21, 2019

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

**From:** Scott Tempel, City Planner

Consider Resolution for lot coverage variances in Hills of Spring Creek 8th

**Action Requested:**

The Zoning Board of Appeals is requested to consider a request to increase the allowable percentage of building coverage from 30% to 35% for four lots in the Hills of Spring Creek 8<sup>th</sup> Subdivision.

**Summary Report:**

Hills of Spring Creek 8<sup>th</sup> is zoned Neighborhood General 2 (N2) and is located west of Spring Creek Road and north of Jefferson Parkway on the eastern Northfield border. The property owner would like to construct modest, single-level homes on the selected lots but is hitting the Building Area Ratio limit (BAR). Smaller homes, on smaller lots, are one of the goals of the Land Development Code (LDC). The designs proposed will make great move-down homes for seniors, which are currently in high demand in Northfield.

**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.

**VARIANCE**

Northfield Land Development Code Table 3.2-2 Site Development Standards for N2 District sets the maximum allowed BAR at 30%. The applicant is requesting to increase this limit to 35% for the four lots at 2008, 2009, 2012 and 2016 Ontario Drive. Analysis of the variance request is addressed below.

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

The purpose of the Neighborhood General 2 (N2) district is to create a pedestrian-friendly environment, such as found in the R1 district, with strong neighborhood qualities, such as a grid-like street pattern, consistent block size, compact development, a range of housing types and architectural styles, street connectivity, sidewalks, and homes located in close relationship to the street. In addition, the N2 district will include greenways and natural areas, and options for neighborhood-serving commercial. This development pattern is the preferred future pattern for the city, as expressed in the comprehensive plan.

**Finding:** The project is in harmony with the general purposes and intent of the LDC. The proposed use is consistent with the general goals for the N2 zone district. With the variance, the applicant will be able to provide a more compact development.

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.
- 1.1.4 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.
- 1.1.11 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:** The variance is consistent with the Comprehensive Plan.

**Intent:**

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

The proposal is to construct modest homes with a small town character.

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

At the time of platting, the project was integrated into the community and the surrounding natural environment through the street and trail network.

**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 area is in the pipeline for growth.

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

The proposed homes will have strong neighborhood qualities such as being in close proximity to the street, attractive architecture, a modest floor plan and area, and front porches.

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

The proposed homes will easily integrate into the development. The smaller lots and smaller homes are a more sustainable development method.

**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 new custom homes are designed for single-level living, filling a gap in the housing market.

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

n/a

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

Streets in the development were platted to create an attractive public realm.

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

The street network exists and is well connected.

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

The development contains ample walking and biking connections.

**Location:**

The project is located in the Pipeline Area of the Conservation and Development map, which is appropriate for development.

**Character:**

The project is located in the Neighborhood General 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 requested variance will result in a reasonable use of the property otherwise not permitted by the LDC. The Building Area Ratio restriction is in conflict with the goal of creating more compact development. The homes, as designed, meet the LDC setback requirements, therefore meeting the intent of the LDC. However, the percentage of lot coverage needs to be increases with the smaller lots.

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

**Finding:** The plight of the landowner is due to a conflict within the LDC. The lots were platted to meet the intent and requirements of the LDC. However, the LDC emphasis on compact design failed to take into account how the lot coverage limit affects smaller lots.

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

Supported: Granting the variance will not alter the essential character of the locality. The project will be compatible with the character of the surrounding properties. The home designs do not change and the setbacks will not change.

**Financial Impacts:**

There are no direct financial impacts to the City due to approving these variances. The variance request is based upon the requirements and elements necessary for this type of permitted use on this site to be functional. There is no financial benefit or impact in regards to lot coverage.