

Department of Community Planning and Economic Development – Planning Division
Rezoning
BZZ-5663

Date: September 19, 2012

Applicant: Ahmed Mohamed, U of M Market

Address of Property: 614 Washington Ave SE

Project Name: U of M Market rezoning

Contact Person and Phone: Ahmed Mohamed, (612) 379-3045

Planning Staff and Phone: Aly Pennucci, (612) 673-5342

Date Application Deemed Complete: August 2, 2012

End of 60-Day Decision Period: October 1, 2012

End of 120-Day Decision Period: On September 5, 2012, staff sent a letter to the applicant extending the decision period to no later than November 30, 2012

Ward: 2 **Neighborhood:** University

Existing Zoning: C1 Neighborhood Commercial District, PO Pedestrian Oriented Overlay District, UA University Area Overlay District, MR Mississippi River Critical Area Overlay District

Proposed Zoning: C2 Neighborhood Corridor Commercial District, PO Pedestrian Oriented Overlay District, UA University Area Overlay District, MR Mississippi River Critical Area Overlay District

Zoning Plate Number: 22

Legal Description: E 45 FT LOT 6 AND 3 45 FT OF N 34 FT OF LOT 7 BLOCK 031 ST. ANTHONY CITY

Proposed Use: Grocery store with tobacco sales

Concurrent Review: Rezoning of 614 Washington Avenue SE from the C1 Neighborhood Commercial District to the C2 Neighborhood Corridor Commercial District to allow for tobacco sales accessory to the existing grocery store.

Applicable zoning code provisions: Chapter 525, Article VI, Zoning Amendments, Chapter 548

Background: The applicant proposes to add tobacco sales to a small grocery store in an existing commercial building at 614 Washington Ave SE. A grocery store is a permitted use in the C1 district;

however, per section 281.85 of the Minneapolis Code of Ordinances, no tobacco dealer's license shall be issued or granted for any use established in the C1 zoning district after July 25, 2008. The applicant is requesting a rezoning from the C1 district to the C2 district to qualify for a tobacco license.

The proposed grocery store is less than 1,000 square feet in size; commercial uses with less than 1,000 square feet of gross floor area are not subject to a minimum parking requirement, therefore the subject use has a parking requirement of zero spaces.

As of the writing of this report staff has not received comments from the neighborhood association. Any comments, if received, will be forwarded to the Commission.

REZONING

Findings As Required By The Minneapolis Zoning Code:

1. Whether the amendment is consistent with the applicable policies of the comprehensive plan.

The site is designated as mixed use on the future land use map in *The Minneapolis Plan for Sustainable Growth*. The mixed use designation allows for mixed use development, including mixed use with residential. Mixed use may include either a mix of retail, office or residential uses within a building or within a district. The site is also located within the Stadium Village Activity Center. Activity Centers support a wide range of commercial, office, and residential uses. They typically have a busy street life with activity throughout the day and into the evening. They are heavily oriented towards pedestrians, and maintain a traditional urban form and scale. Activity Centers are also well-served by transit. The following policies of the Comprehensive Plan apply to this project and this site:

Land Use Policy 1.1: Establish land use regulations to achieve the highest possible development standards, enhance the environment, protect public health, support a vital mix of land uses, and promote flexible approaches to carry out the comprehensive plan.

Land Use Policy 1.4: Develop and maintain strong and successful commercial and mixed use areas with a wide range of character and functions to serve the needs of current and future users.

1.4.1: Support a variety of commercial districts and corridors of varying size, intensity of development, mix of uses, and market served.

1.4.2: Promote standards that help make commercial districts and corridors desirable, viable, and distinctly urban, including: diversity of activity, safety for pedestrians, access to desirable goods and amenities, attractive streetscape elements, density and variety of uses to encourage walking, and architectural elements to add interest at the pedestrian level.

Land Use Policy 1.12: Support Activity Centers by preserving the mix and intensity of land uses and by enhancing the design features that give each center its unique urban character.

1.12.1 Encourage a variety of commercial and residential uses that generate activity all day long and into the evening.

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

A zoning change to the C2 district in this location would allow for a wider range and possibly higher intensity of uses on the site moving forward. As outlined in the first finding this is consistent with the comprehensive plan, but it also supports the economic viability and strength of the activity center by allowing for more flexibility in how the property is used in the future. This change could lead to increased stability in the commercial character of the location and is not solely for the interest of a single 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.

The zoning in the immediate vicinity of the site is a mix of OR3, C1, C2, C3A and R6. These districts allow for a wide variety of uses and a fairly consistent intensity of residential density and building form. The C2 Neighborhood Corridor Commercial District is compatible with these existing districts.

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.

While there are reasonable uses of the property permitted under the existing zoning classification, the uses allowed in the proposed zoning classification are also reasonable. Automobile service uses are first allowed with a conditional use permit in the C2 district, and while these uses are sometimes seen as undesirable by adjacent properties, the presence of the PO Pedestrian Oriented Overlay District at this location negates this particular concern.

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.

This site is within close proximity to the University and is located in an area of the City where several new mixed-use and higher-density residential projects have been recently constructed or are in varying stages of the approval process. As noted above, a zoning change to the C2 district in this location will allow for a wider range and possibly higher intensity of uses on the site moving forward.

RECOMMENDATIONS

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the rezoning:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **approve** the application for the rezoning of 614 Washington Ave SE from the C1 Neighborhood Commercial District, PO Pedestrian Oriented Overlay District, UA University Area Overlay District, and MR Mississippi River Critical Area Overlay District to the C2 Neighborhood Corridor Commercial District, PO Pedestrian Oriented Overlay District, UA University Area Overlay District, and MR Mississippi River Critical Area Overlay District.

Attachments:

1. Rezoning matrix
2. Zoning map
3. Future land use map
4. Correspondence to neighborhood association and council office
5. Plans
6. Photos