



**LAND USE APPLICATION SUMMARY**

*Property Location:* 3200 Bryant Avenue S  
*Project Name:* 3200 Bryant Avenue S Rezoning  
*Prepared By:* Mei-Ling Smith, City Planner, (612) 673-5342  
*Applicant:* David Merryfield, Merryfield Properties, LLC  
*Project Contact:* David Merryfield  
*Request:* To rezone the property from R2B Two-Family District to C1 Neighborhood Commercial District to allow a general retail sales and services use.

*Required Applications:*

<b>Rezoning</b>	Petition to rezone the property located at 3200 Bryant Avenue S from the R2B Two-Family District to the C1 Neighborhood Commercial District.
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**SITE DATA**

<b>Existing Zoning</b>	R2B Two-Family District
<b>Lot Area</b>	2,496 square feet / 0.06 acres
<b>Ward(s)</b>	10
<b>Neighborhood(s)</b>	Calhoun Area Residents Action Group (CARAG)
<b>Designated Future Land Use</b>	Urban Neighborhood
<b>Land Use Features</b>	Community Corridor (Bryant Avenue)
<b>Small Area Plan(s)</b>	n/a

<b>Date Application Deemed Complete</b>	December 17, 2015	<b>Date Extension Letter Sent</b>	December 28, 2015
<b>End of 60-Day Decision Period</b>	February 15, 2016	<b>End of 120-Day Decision Period</b>	April 15, 2016

## BACKGROUND

**SITE DESCRIPTION AND PRESENT USE.** The subject site is located at the southwest corner of the intersection of Bryant Avenue S and 32<sup>nd</sup> Street W. The site contains an existing one-story, flat-roof building. The building footprint is 2,329 square feet and covers 93 percent of the lot, which is 2,469 square feet in size. The site does not have alley access and does not contain any on-site parking.

The existing building was constructed as two storefronts in 1908. When the 1924 zoning code was adopted, the property became legally nonconforming as a commercial use, as it was located in the Multiple Dwelling District, which did not allow general commercial uses. The property's zoning classification then changed to the R2B Two-Family District once the 1963 zoning code was adopted, and has remained in the R2B classification since that time. The property has historically been used for various small-scale commercial uses. The building is currently vacant, but was most recently used as a convenience store.

**SURROUNDING PROPERTIES AND NEIGHBORHOOD.** The surrounding area contains a range of residential densities and commercial uses. There are single-family homes on the northwest and southeast corners of the same intersection, and Bryant Square Park is located on the northeast corner of the intersection. The immediate blocks surrounding the subject site are zoned R2B and contain single-, two-, and multiple-family dwellings. Lyndale Avenue S, which is a Community Corridor like Bryant Avenue S, is located two blocks to the East. The 3200 block of Lyndale Avenue S contains commercial uses in the C1 Neighborhood Commercial District, as well as the OR2 High Density Office Residence District and the R4 Multiple-Family District. The Lyn-Lake Activity Center and Lake Street Commercial Corridor are located two blocks to the north of the subject site.

**PROJECT DESCRIPTION.** The applicant is proposing to convert the existing vacant commercial building into two commercial spaces, which would be 995 square feet and 1,345 square feet, respectively. The applicant is proposing interior modifications and has already completed façade and HVAC improvements, including new stucco and storefront glass, but is not proposing any changes that would affect the bulk of the building. The proposed use of acupuncture and rehabilitation body work falls under the category of general retail sales and services in the C1 district.

All non-residential uses over 1,000 square feet in area are required to provide a minimum of four off-street parking spaces. The applicant is proposing two retail spaces, of which only one would be over 1,000 square feet and would have a requirement of four parking spaces. The most recent use occupied the entire 2,329 square foot building, so the property has grandfathered rights to four parking spaces. No additional off-street parking is required for the new use.

Because the rezoning request is to change from a residential district to a commercial district, the applicant was required to obtain consent signatures from two-thirds of the property owners within 100 feet of the site.

**PUBLIC COMMENTS.** No comments had been submitted as of the writing of this report. 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 at 3200 Bryant Avenue S from the R2B Two-Family District to the CI Neighborhood Commercial District based on the following findings:

*1. 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 adjacent to Bryant Avenue S, which is a designated Community Corridor in this location. Community Corridors generally contain small-scale retail sales and services serving the immediate neighborhood. In addition, the property is designated as Urban Neighborhood on the future land use map. Urban neighborhoods are predominantly residential areas with a range of densities, with highest densities generally being concentrated around identified nodes and corridors. They may include undesignated nodes and some other small-scale uses, including neighborhood-serving commercial and institutional and semi-public uses scattered throughout. Areas designated as urban neighborhoods are not generally intended to accommodate significant new growth.

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

**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.**

- 1.1.5 Ensure that land use regulations continue to promote development that is compatible with nearby properties, neighborhood character, and natural features; minimizes pedestrian and vehicular conflict; promotes street life and activity; reinforces public spaces; and visually enhances development.

**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 1.5: Promote growth and encourage overall city vitality by directing new commercial and mixed use development to designated corridors and districts.**

- 1.5.1 Support an appropriate mix of uses within a district or corridor with attention to surrounding uses, community needs and preferences, and availability of public facilities.
- 1.5.3 Promote the preservation of traditional commercial storefronts wherever feasible.

**Land Use Policy 1.6: Recognize that market conditions and neighborhood traditions significantly influence the viability of businesses in areas of the city not designated as commercial corridors and districts.**

- I.6.1 Allow for retention of existing commercial uses and zoning districts in designated Urban Neighborhood areas, to the extent they are consistent with other city goals and do not adversely impact surrounding areas.

**Land Use Policy 1.9: Through attention to the mix and intensity of land uses and transit service, the City will support development along Community Corridors that enhances residential livability and pedestrian access.**

- I.9.1 Support the continued presence of existing small-scale retail sales and commercial services along Community Corridors.

The property contains an existing, non-residential building that has historically been used for commercial purposes. The commercial uses allowed in the C1 district will contribute to the overall vitality of the area without having a detrimental impact on the surrounding area.

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

The rezoning would allow for a limited range of goods and services along a Community Corridor in an existing commercial building. Rezoning to C1 to allow commercial uses on the subject site would enhance residential livability and reinvestment in the neighborhood and would also help to revitalize an existing commercial building. The amendment is in the public interest and is 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.*

Although the surrounding properties have primarily R2B zoning, the proposed zoning would be compatible with the zoning classifications and existing uses of other property in the area. C1 zoning is located two blocks to the east, along Lyndale Avenue S. The Lake Street Commercial Corridor and Lyn-Lake Activity Center are located two blocks to the north of the site. The properties along this corridor include more intense commercial uses in the C2 and C3A zoning 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.*

The property is currently zoned within the R2B Two-family District. Permitted uses in this district include single and two-family dwellings, small community residential facilities, community gardens, public parks, places of assembly, child care centers, and small market gardens. The site constraints of the subject property pose a number of issues for its reasonable reuse within the R2B District. The minimum lot area required for a new single or two-family dwelling would be 5,000 square feet or 10,000 square feet respectively. Because the property has only 2,496 square feet of lot area, establishing a single or two-family dwelling would require a variance of the minimum lot area. In addition, the majority of non-residential uses that are allowed in the R2B district have a minimum lot area requirement of 20,000 square feet. While some reasonable uses of the property still exist, due to the small size of this lot, it is unlikely that it could be redeveloped or repurposed for a permitted use in the R2B district.

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.*

The existing building was constructed as a dual storefront building in 1908 and has housed a variety of commercial uses since that time. The R2B zoning in the area immediately surrounding the subject site has not changed significantly since 1924, when the subject property was zoned for residential uses. The greater vicinity has seen some increase in the proportion of commercial or mixed-use properties, particularly to the east, south, and west of the subject site, namely Lyndale Avenue S, Hennepin Avenue S, and the 36<sup>th</sup> Street W/Bryant Avenue S and 36<sup>th</sup> Street W/Lyndale Avenue S Neighborhood Commercial Nodes. While there has not been a noticeable change in the character of the development in the immediate area of the property, it would be appropriate to establish this property's commercial zoning status in order to utilize the existing commercial building for commercial uses. Rezoning to CI would not have a negative impact on the surrounding area.

## FOR REZONINGS ONLY

### ZONING PLATE NUMBER. 24

**LEGAL DESCRIPTION.** Lot 1, Block 19, Remington's second addition to Minneapolis, except the west 70 feet thereof, according to the recorded plat thereof, Hennepin County, Minnesota

## RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the City Planning Commission and City Council adopt staff findings for the application by David Merryfield for the property located at 3200 Bryant Avenue S:

### A. Rezoning.

Recommended motion: **Approve** the application to rezone the property located at 3200 Bryant Avenue S from the R2B Two-Family District to the CI Neighborhood Commercial District.

## ATTACHMENTS

1. Written description submitted by applicant
2. Memo from City Attorney Re: Petition for the Amendment of the Zoning Ordinance
3. Zoning map
4. Survey
5. Plans
6. Renderings
7. Photos
8. Rezoning matrix