

Department of Community Planning and Economic Development – Planning Division
Zoning Amendment (Rezoning), Conditional Use Permit
BZZ-2584

Date: September 19, 2005

Applicant: Jeff Sommers & Lara Hammel

Address of Property: 3433 25th St. E & 2504 35th Ave S

Project Name: 3433 E 25th

Contact Person and Phone: Jeff Sommers & Lara Hammel, 131 N Cretin Ave, St. Paul, MN 55104;
(651) 341-7709

Planning Staff and Phone: Tara Beard, (612) 673-2351

Date Application Deemed Complete: August 27, 2005

End of 60-Day Decision Period: October 26, 2005

End of 120-Day Decision Period: Not applicable

Ward: 2 **Neighborhood Organization:** Seward Neighborhood Group

Existing Zoning: I1 Light Industrial District

Proposed Zoning: I1 with Industrial Living Overlay District (ILOD)

Zoning Plate Number: 22

Lot area: 15,092 square feet

Legal Description: Rgt the town of falls city – Blks, lot 003, block 006, lots 1 and 2.

Proposed Use: Single family dwelling unit and artist studio and gallery.

Concurrent Review:

- Rezone to add an Industrial Living Overlay District (ILOD) to the current zoning district of I1
- Conditional Use Permit to allow a residential use

Applicable zoning code provisions: Chapter 525: Article VI Zoning Amendments; Article VII Conditional Use Permits – Chapter 550: Article I General Provisions; Article I1 Light Industrial District – Chapter 551: Article IV IL Industrial Living Overlay District

Background: The applicants, Jeff Sommers & Lara Hammel, have submitted a request to add an ILOD and receive a Conditional Use Permit to allow a residence on their properties at 3433 25th St E and 2504 35th Ave S. The applicants are proposing to use half of an existing structure for their family residence and the other half for an artist studio, gallery, and warehouse. The residential use is prohibited in an I1 district without an ILOD and is a conditional use in an I1 district when an ILOD is present.

The existing building consists of a basement level and one above ground level, however, the building height of 16' requires its consideration as a two-story building per Chapter 520.160 of the zoning code. Buildings up to 4 stories or 56', whichever is less, are permitted in I1 districts.

The existing building's footprint is approximately 1,657 square feet. The applicant is proposing to divide the building basically in half, leaving 828 square feet of space and the basement below for a residential dwelling on the east side of the building and 829 square feet of space and the basement below that for the studio/gallery/warehouse uses on the west side of the building.

The applicant's proposal includes a new attached parking structure for the residence and new parking stalls and landscaping for the studio/gallery/warehouse uses. The residential parking structure is a 2-car garage located south of the residential (east) side of the building and connected to it by a covered breezeway. The parking lot for the industrial uses consists of four stalls, including one van-accessible handicapped stall, located to the south of the industrial (west) side of the building. Access to both parking facilities would be provided by way of the alley adjacent to the west end of the site. An existing curb cut off of 35th Ave S on the east end of the site would be eliminated. Parking, landscaping, and screening requirements consistent with design and maintenance review as a part of a Conditional Use Permit have been met.

A significant portion of the site that is currently paved would be covered in sod and other landscaping materials. Staff is recommending that the applicant include additional landscaping in the form of shrubs, trees, or plantings along the front of the building (north façade) to soften the manner in which the building addresses the street and to provide relief from the long, austere façade.

This project is going before Seward Neighborhood Group on September 13, after the printing of this report. Staff anticipates attaching written correspondence from the neighborhood on this project shortly after that. Any materials received after the printing of this report will be added as soon as possible.

ZONING AMENDMENT -

Required Findings for a zoning amendment:

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

3433 25th St. E and 2504 35th Ave S are not designated by *The Minneapolis Plan* as a commercial corridor, community corridor, commercial node, nor activity center. The site is three blocks from larger industrial districts that border the Midtown Greenway, however, single family housing districts surround the site in all directions.

Because the site is surrounded by R1 and R1A zoning districts and is not designated by *The Minneapolis Plan* for increased industrial or commercial uses, the ILOD is in conformance with the policies of the comprehensive plan for this area.

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

The rezoning is in the interest of the applicant as it will allow additional uses at the site. However, the addition of residential use to the site will increase the span of time in which human activities will be present. The use of half of the building as a studio and art gallery will provide an amenity to the neighborhood which is in the public interest.

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 ILOD will retain the underlying industrial zoning and will allow for additional limited retail and residential uses. R1, R1A, and some scattered R2B districts envelop the site and the proposed residential use will actually increase the site's compatibility with its surroundings.

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 site could be used for a variety of light industrial uses that are sensitive to the residential nature of the area. These uses would still be allowed under the proposed zoning.

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 character of this area has not encountered significant changes in the recent past. Four blocks south of the site is the proposed third phase of the Midtown Greenway, which is bordered by Industrial and high-density Residential districts that may experience changes as the third phase is completed.

25th St E was formerly served by a streetcar line which has left a number of commercial and light industrial buildings underutilized in the present. Within a few blocks of the building there are older buildings that have been repurposed as a neighborhood café and rental housing. The change proposed to the applicant's building is consistent with other changes in the area.

In order to ensure safe and clear vehicle movement in the on-site parking, staff has recommended some changes that are illustrated in the attachments. Currently a vehicle parked

on the south end of the residential garage would have a difficult time backing out without occupying a part of the existing van-accessible handicapped stall. Staff therefore recommends narrowing the three western stalls of the parking lot to the minimum (from the proposed 10'-0" wide to 8'-6" wide) thus reducing the overall width of the four total stalls. This allows 20 feet of non-parking space for a residential vehicle to back into for turn-around purposes. However, it is necessary that no parking occurs on the non-parking space as a portion of it will be striped for van access.

CONDITIONAL USE PERMIT -

Required Findings for the Conditional Use Permit:

- 1. Will not be detrimental to or endanger the public health, safety, comfort or general welfare.**

The use is relatively small in scale and is located in the Seward neighborhood which contains a large population of single-family homes, some multi-family dwelling units, and a few businesses serving the community.

Additional landscaping at the solid wall along 25th St. E and graffiti protection on all walls has been strongly recommended as a method of Crime Prevention through Environmental Design (CPTED).

- 2. Will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.**

Given that the surrounding uses are residential, permitting a residential use on this site should not impede development of surrounding properties and would not affect the use and enjoyment of other properties in the area. The rear of the business side of the building, which faces a residential structure, does include parking spaces that are separated by a fence and landscaping. See attached site plans for reference.

- 3. Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided.**

Utilities would not be affected by the addition of a residential use to the building. One curb cut would be removed and the only access to the building (residential or business) would be from the alley.

Drainage will be increased minimally by the additional of a 2-car garage. The significant increase in landscaping will reduce the amount of stormwater runoff produced by the site.

- 4. Adequate measures have been or will be provided to minimize traffic congestion in the public streets.**

The scale of the use is such that congestion of the public streets would not be substantially affected. The applicant has indicated that hours of operation of the gallery and warehouse will be within the hours permitted by the zoning code in an I1 district (6 AM – 10 PM Sunday thru Thursday; 6AM – 11 PM Friday and Saturday).

5. Is consistent with the applicable policies of the comprehensive plan.

The site is designated as commercial services in *The Minneapolis Plan* land use policy. The building has been empty for one year and was previously used as office and small parts assembly. The art gallery use proposed seems to be more in compliance with the policy of the comprehensive plan.

According to other principles and polices outlined in *The Minneapolis Plan*, the following apply to this proposal:

The Minneapolis Plan, Chapter 4.4 states: “Minneapolis will continue to provide a wide range of goods and services for city residents, to promote employment opportunities, to encourage the use and adaptive reuse of existing commercial buildings, and to maintain and improve compatibility with surrounding areas”.

The Minneapolis Plan, Chapter 4.11 states: “Minneapolis will improve the availability of housing options for its residents.”

The Minneapolis Plan, Chapter 9.15 states: “Minneapolis will protect residential areas from the negative impact of non-residential uses by providing appropriate transitions.” Specifically, one of the implementation steps for this chapter is to “Promote quality design and building orientation of commercial and industrial development that is appropriate with the surrounding neighborhoods.” To better realize this step, staff recommends a condition of approval be embellishment of the entrance with architectural features such as awnings, lighting, and signage. Furthermore, the width of the new walkway to the gallery entrance should be increased to a minimum of 4 feet wide to better retain street orientation and improve pedestrian access (the existing entry door is not located along the front of the site but along the adjacent alley).

These sections of *The Minneapolis Plan* are consistent with a CUP for permitting a residential dwelling unit (contingent upon concurrent review of a rezoning of an ILOD) at 3433 25th St S and 2504 35th Ave S.

6. And, does in all other respects conform to the applicable regulations of the district in which it is located upon approval of this conditional use permit.

Upon approval of the conditional use permit for use as a dwelling unit, this specific tenant shall conform to the applicable regulations of the I1 district with an Industrial Living Overlay District. Furthermore, a Design and Maintenance review has determined that the site will come into compliance with the requirements related to screening of parking lots.

RECOMMENDATION:

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the addition of the Industrial Living Overlay District:

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 rezoning application for the addition of the Industrial Living Overlay District at 3433 25th St S and 2504 35th Ave S.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the conditional use permit:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a conditional use permit to allow the use of a single-family residential dwelling unit at 34433 25th St S and 2504 35th Ave S, subject to the following conditions:

1. The four parking stalls serving the business (west) side of the building are reconfigured to minimize conflict between business parking and residential parking (See drawing attachment).
2. Architectural features such as an awning and signage are provided at the entrance to the gallery along the E 25th St alley.
3. The walkway from the E 25th St sidewalk to the gallery entrance is widened to a minimum of 4 feet.

Attachments:

1. Statement of use
2. Findings
3. Correspondence
4. Site Plan, Floor Plans, Elevations, & Zoning map
5. Parking layout recommended by staff
6. Photos