

Department of Community Planning and Economic Development – Planning Division
Rezoning
BZZ-4321

Date: April 6, 2009

Applicant: Jasper and Shelia Rajendren

Address of Property: 2500 Fifth Street Northeast which includes 415 Lowry Avenue Northeast

Project Name: Sparrow Cafe

Contact Person and Phone: Jasper and Shelia Rajendren, (612) 207-6807

Planning Staff and Phone: Hilary Dvorak, (612) 673-2639

Date Application Deemed Complete: March 4, 2009

End of 60-Day Decision Period: May 3, 2009

End of 120-Day Decision Period: A 60-day extension letter was mailed on March 20, 2009, extending the 120-day decision period to July 2, 2009

Ward: 1 Neighborhood Organization: Holland Neighborhood Improvement Association

Existing Zoning: R2B, Two-family District

Proposed Zoning: C1, Neighborhood Commercial District

Zoning Plate Number: 9

Legal Description (properties to be rezoned): Lot 1, Block 2, Phillips Addition to Minneapolis

Proposed Use: Restaurant

Concurrent Review:

Rezoning: of the property located at 2500 5th Street NE (including 415 Lowry Avenue NE) from the R2B zoning district to the C1 zoning district to permit a restaurant in the space addressed as 415 Lowry Avenue NE

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

Background: The subject property has two addresses: 2500 5th Street Northeast and 415 Lowry Avenue Northeast. The 5th Street Northeast address is associated with a single family dwelling and the Lowry Avenue Northeast is associated with a commercial building. The two uses are part of the same structure and have been since the building was constructed in 1926. The commercial portion of the building was

originally used as a market until the 1950's when it was converted to a restaurant. In the 1970's the restaurant closed and the property owner at the time converted the commercial space to a dwelling unit. The current owners of the property purchased the site in 2005 and are now proposing to convert the former commercial portion of the building back to a restaurant.

In order to convert the former commercial portion of the building to a restaurant the property needs to be rezoned. The site is currently zoned R2B, Two-family District which allows duplexes. In order to have a restaurant in the building the site needs to be zoned C1, Neighborhood Commercial District.

The commercial portion of the building is approximately 915 square feet. Of this, approximately 651 square feet is the actual restaurant and the remaining 264 square feet is an existing one-stall garage that will be used for storage. Since the commercial space is less than 1,000 square feet it is exempt from a parking requirement.

REZONING - of the property located at 2500 5th Street NE (including 415 Lowry Avenue NE) from the R2B zoning district to the C1 zoning district

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 located on the north side of Lowry Avenue Northeast and two blocks east of University Avenue Northeast. According to *The Minneapolis Plan*, both Lowry Avenue Northeast and University Avenue Northeast are designated Community Corridors. The land use features in the update to *The Minneapolis Plan* are the same. However, the intersection of Lowry Avenue Northeast and University Avenue Northeast is also designated as a Neighborhood Commercial Node. According to the principles and polices outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Encourage reinvestment along major urban corridors as a way of promoting growth in all neighborhoods (Policy 4.1).
- Coordinate land use and transportation planning on designated Community Corridors through attention to the mix and intensity of land uses, the pedestrian character and residential livability of the streets, and the type of transit service provided on these streets (Policy 4.2).
- Ensure that commercial uses do not negatively impact nearby residential uses (Implementation Step for Policy 4.2).
- 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 (Policy 4.4).
- Provide for a range of commercial districts that provide the services required by the residents and businesses (Implementation Step for Policy 4.4).
- Encourage the economic vitality of the city's commercial districts while maintaining compatibility with the surrounding areas (Implementation Step for Policy 4.4).

The Planning Division believes that rezoning the parcel of land located at 2500 5th Street NE (including 415 Lowry Avenue NE) from the R2B District to the C1 District would be in conformance with the foregoing policies of the comprehensive plan.

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

The amendment will allow the applicant to convert the former commercial portion of the building to a restaurant property. Although this rezoning is in the interest of the property owner the building was originally constructed as a mixed-used building.

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 property is bordered by R2B zoning to the north and south, I1 zoning to the east and C1 zoning to the west. The majority of Lowry Avenue Northeast, between the Mississippi River on the west and Central Avenue Northeast on the east, is zoned commercial. Uses in the area include a mixture of commercial uses, industrial uses and residential dwellings of varying densities. Given the mixture of surrounding zoning classifications and uses in the area the Planning Division believes that the C1 zoning district would be compatible with the surrounding area.

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.

In the R2B zoning district there are only six uses that are permitted as of right. Those uses include:

- Single-family dwelling
- Two-family dwelling
- Community residential facility serving six (6) or fewer persons
- Community garden
- Park, public
- Place of assembly

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.

There has not been a change in the character of development in the area. Historically, a mixture of residential, commercial and industrial uses have coexisted along Lowy Avenue Northeast.

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 the City Council adopt the above findings and **approve** the rezoning of the property located at 2500 5th Street NE (including 415 Lowry Avenue NE) from the R2B zoning district to the C1 zoning district.

Attachments:

1. Consent signature compliance letter from the City Attorney's Office
2. Statement of proposed use and description of the project
3. Comparison table for rezoning
4. Correspondence with Council Member Ostrow and the Holland Neighborhood Improvement Association
5. Zoning Map
6. Site layout plan and floor plans
7. Sign plan
8. Photos of the property