

CPED Planning Division Report

Zoning Amendment (Rezoning)

BZZ – 1529

Date: January 12, 2004

Date Application Deemed Complete: December 5, 2003

End of 60 Day Decision Period: February 3, 2003

Applicant: DCCH, LLC

Address of Property: 4032 Minnehaha Avenue

Contact Person and Phone: Dan Cheung, 728-1000

Planning Staff and Phone: Jason Wittenberg, 673-2297

Ward: 9 **Neighborhood Organization:** Longfellow Community Council

Existing Zoning: R1A

Proposed Zoning: C1

Zoning Plate Number: 33

Legal Description of Property Proposed for Rezoning: Lot 10, Block 1, Elmhurst Addition to Minneapolis

Proposed Use: The rezoning would allow a parking lot accessory to the building located at 4020 Minnehaha Avenue. The applicant intends to use the building for offices.

Project Name: N/A

Previous Actions: On October 7, 2003, the City Planning Commission **approved** a variance to reduce the required number of off-street parking spaces from 49 to 45 spaces (where 30 of the spaces are grandfathered for the existing single-story building and 15 actual parking spaces are proposed) to allow a partial second story addition to the existing building, subject to the following condition:

1. To minimize the loss of on-street parking, the applicant shall either consolidate curb cuts along Minnehaha Avenue or access the new parking lot from the public alley. Curb cut and alley access issues shall be reviewed and approved by the Public Works Department.

The applicant withdrew a request to rezone the property at 4032 Minnehaha Avenue from R1A to C2.

Concurrent Review: N/A

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Background: The applicant owns an existing one-story building located at 4020 Minnehaha Avenue and an adjacent vacant parcel at 4032 Minnehaha. The applicant proposes to rezone the parcel at 4032 from R1A to C1 to construct an accessory parking lot. A partial second story addition is proposed to the building located at 4020 Minnehaha Avenue. Although the existing building is grandfathered from its off-street parking requirement, the proposed addition would require 19 spaces while 15 are proposed. On October 7, 2003, the City Planning Commission granted a variance to reduce the required number of off-street parking spaces to allow the building addition. While the Commission recommended approval of the applicant's request to rezone the property at 4032 Minnehaha from R1A to C2, the applicant subsequently withdrew the application.

A Time-Warner cable relay station is located on the adjacent parcel to the south.

The parking lot must be landscaped and screened as required by section 530.160 of the zoning code. The applicant's landscape plan must be revised to include additional screening.

Findings As Required By The Minneapolis Zoning Code for the Rezoning Application:

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

Minnehaha Avenue is designated as a Community Corridor. Community Corridors are characterized by the following features.

- Streets connect more than 2 neighborhoods
- Corridors have a land use pattern that is primarily residential with intermittent commercial uses clustered at intersections in a pattern of nodes.
- Streets are generally minor arterials by the City's street classification system, with some exceptions.
- Streets carry a range of traffic volumes, a minimum of 4,000 average annual daily traffic (AADT) up to 15,000 AADT and greater.
- Streets carry a heavy volume of traffic but are not necessarily the principal travel routes for a specific part of the city.
- Corridors do not support automobile oriented shopping centers.
- Corridor land use and building form exhibit traditional commercial and residential form and massing. (See discussion of traditional urban form in Chapter 9.)
- Commercial uses on community corridors are generally small scale retail sales and services serving the immediate neighborhood.

Planning staff has identified the following goals and policies of the Minneapolis Plan as being relevant to the request to rezone the property from R1A to C1.

Relevant policy: **4.2** Minneapolis will coordinate land use and transportation planning on designated Community Corridors streets through attention to the mix and intensity of land uses,

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the pedestrian character and residential livability of the streets, and the type of transit service provided on the streets.

Relevant Implementation Steps:

- Strengthen the residential character of Community Corridors by developing appropriate housing types that represent variety and a range of affordability levels.
- Promote more intensive residential development along these corridors where appropriate.
- Discourage the conversion of existing residential uses to commercial uses, but encourage the development of mixed use residential dwelling units in commercial buildings where appropriate.
- Support the continued presence of small scale retail sales and commercial services along Community Corridors.
- Ensure that commercial uses do not negatively impact nearby residential areas.

Staff comment: This policy and the relevant implementation steps offer mixed guidance in this particular case. In general, additional residential property should not be converted to commercial use along Community Corridors. The parcel in question is somewhat unique, however, in that it is located between two non-residential uses—the applicant’s existing commercial building and a cable relay facility. Thus, the proposed expansion of the commercial district does not necessarily equate to an intrusion of commercial use into a residential area.

Relevant Policy: **9.24** Minneapolis will support continued growth in designated commercial areas, while allowing for market conditions to significantly influence the viability of commercial presence in undesignated areas of the city.

Relevant Implementation Steps:

- Encourage the economic vitality of the city’s commercial districts while maintaining compatibility with the surrounding areas.

Staff comment: The rezoning would allow for off-street parking for a building that is currently nonconforming as to the off-street parking requirements of Chapter 541. The C1 District or TP Overlay District are more compatible with the area in question than the C2 District that was previously requested. The applicant’s existing parcel of C2 zoning appears to be the largest area of C2 zoning on Minnehaha Avenue south of 31st Street.

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

The rezoning appears to be largely in the interest of a single property owner. However, some benefit may be realized for the surrounding area in ensuring that re-use of the adjacent building is accompanied by some off-street parking.

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 immediate area includes a mix of uses and includes R1A, C1 and C2 zoning. A cable relay facility zoned R1A is immediately adjacent to the south of the parcel proposed for rezoning. A multi-family residential building is located two parcels to the south.

The purpose of the C1 District—the proposed zoning district—is indicated in section 548.200 of the zoning code, as follows:

548.200. Purpose. The C1 Neighborhood Commercial District is established to provide a convenient shopping environment of small scale retail sales and commercial services that are compatible with adjacent residential uses. In addition to commercial uses, residential uses, institutional and public uses, parking facilities, limited production and processing and public services and utilities are allowed.

The C1 District is more compatible with residential properties than the C2 District.

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.

Although the parcel could be developed with a single-family residential dwelling, the location between a telecommunications facility and a office building may not be the most practical position for a new dwelling.

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.

Staff is unaware of any substantial trends in the immediate vicinity that would offer guidance related to the rezoning request. However, the development of the Time-Warner cable relay station on the parcel immediately to the south may have diminished the prospects for residential development on this parcel.

Recommendation Of CPED Planning Division for the Rezoning Application:

The CPED Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **approve** the application to rezone the property at 4032 Minnehaha Avenue from R1A to C1.

Attachments:

- Written statements from the applicant

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- Letters to neighborhood group and council member
- Zoning map
- Site plan
- Floor plan
- Elevations
- Photographs