

Minneapolis City Planning Department Report
BZZ – 1341

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 C2, which would match the zoning of the lot at 4020. A partial second story addition is proposed. Although the existing building is grandfathered from its off-street parking requirement, the proposed addition would require 19 spaces while 15 are proposed.

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 C2.

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

Relevant Implementation Steps:

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- 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. However, the C1 District or TP Overlay District would be more compatible with the area in question. 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.

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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 C2 District—the proposed zoning district—is indicated in section 548.260 of the zoning code, as follows:

548.260. Purpose. The C2 Neighborhood Corridor Commercial District is established to provide an environment of retail sales and commercial services that are larger in scale than allowed in the C1 District and to allow a broader range of automobile related 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 C2 District is not as compatible with residential properties as the C1 District. Uses allowed in the C2 District (either permitted or conditional) that are not allowed in the C1 District include automobile convenience facilities, currency exchanges, secondhand goods stores, small engine repair, minor automobile repair, and drycleaning establishments. Of course, the existing R1A District does not allow these commercial uses. Note that the applicant's existing C2 parcel is large enough to accommodate a new automobile convenience facility since it has at least 12,000 square feet of lot 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.

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.

Findings Required by the Minneapolis Zoning Code for the Proposed Variance:

1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.

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The applicant's proposed addition, which triggers the need for a variance to reduce the required number of off-street parking spaces, would serve the purpose of correcting the problematic design of the existing roof. The existing roof, which is concave near the middle of the building, would be altered to include a peak at the middle of the building. The area under the gable would become offices.

- 2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

The addition serves the dual purpose of providing additional usable office space and correcting a design flaw in the existing building. The design flaw is unique and not generally applicable to other properties.

- 3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

Although the applicant seeks a relatively modest variance request of several parking spaces, staff is somewhat concerned about adding additional usable space to the building given the existing parking shortage. Overall, a shortage of several parking spaces would not alter the essential character of the area. Note that any addition of a restaurant or coffee shop to the building would increase the off-street parking requirement.

- 4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

Granting the proposed variance of several off-street parking spaces would not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety. Staff is concerned about the loss of on-street parking due to the addition of another curb cut right next to two existing curb cuts for the loading dock of the adjacent building. The variance, combined with the loss of on-street parking due to a third curb cut, could unduly affect parking congestion on Minnehaha Avenue, particularly considering the number of grandfathered parking spaces credited to the project. Because of this, staff recommends that the applicant work with the Public Works Department to either consolidate the three curb cuts in some manner or access the new parking lot from the public alley. No curb cut should exceed 25 feet in width except as otherwise approved by the Public Works Department.

Recommendation Of The City Planning Department for the Rezoning Application:

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The City Planning Department 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 C2.

Recommendation of the City Planning Department for the Variance Application:

The City Planning Department recommends that the City Planning Commission adopt the findings above and **approve** the 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.