Excerpt from the
CITY PLANNING COMMISSION MINUTES
Minneapolis Community Planning & Economic Development (CPED)
Planning Division

250 South Fourth Street, Room 300
Minneapolis, MN 55415-1385
(612) 673-2597 Phone
(612) 673-2526 Fax
(612) 673-2157 TDD

MEMORANDUM

DATE: March 4, 2011

TO: Steve Poor, Planning Supervisor – Zoning Administrator, Community Planning & Economic Development - Planning Division

FROM: Jason Wittenberg, Supervisor, Community Planning & Economic Development - Planning Division, Development Services

CC: Barbara Sporlein, Director, Community Planning & Economic Development Planning Division

SUBJECT: Planning Commission decisions of February 22, 2011

The following actions were taken by the Planning Commission on February 22, 2011. As you know, the Planning Commission's decisions on items other than rezonings, text amendments, vacations, 40 Acre studies and comprehensive plan amendments are final subject to a ten calendar day appeal period before permits can be issued.

Commissioners present: President Motzenbecker, Carter, Cohen, Huynh, Luepke-Pier, Schiff, Tucker and Wielinski – 8

Not present: Bates (excused) and Gorecki (Gorecki)

Committee Clerk: Lisa Baldwin (612) 673-3710

---

1. 2653 Hennepin Ave S (BZZ-5073, Ward: 10), 2653 Hennepin Ave S (Janelle Widmeier).

A. Rezoning: Application by Charles J. Hanson to rezone the property of 2653 Hennepin Ave S from C1 to C2 to allow a tobacco shop.

Action: The City Planning Commission recommended that the City Council adopt the findings and approve the petition to rezone the property of 2653 Hennepin Ave from C1 to C2.

President Motzenbecker opened the public hearing.

No one was present to speak to the item.

President Motzenbecker closed the public hearing.

Commissioner Tucker moved approval of the staff recommendation (Huynh seconded).

The motion carried 6-0 (Schiff not present for the vote.

2. Nimbus Theater (BZZ-5075, Ward: 1), 1517-1519 Central Ave (Shanna Sether).

A. Rezoning: Application by Liz Neerland of Nimbus Theater, on behalf of Morton Lent Trustee, for a rezoning petition to the change the zoning classification for the property located at 1517-1519 Central Ave to add the IL Industrial Living Overlay District to the existing I1 Light Industrial District to allow for an indoor theater.

Action: The City Planning Commission recommended that the City Council adopt the findings and **approve** the rezoning petition to change the zoning classification to add the IL Industrial Living Overlay District to the existing I1 Light Industrial District for the property located at 1517-19 Central Ave NE to allow for an indoor theater.

President Motzenbecker opened the public hearing.

No one was present to speak to the item.

President Motzenbecker closed the public hearing.

Commissioner Tucker moved approval of the staff recommendation (Huynh seconded).

The motion carried 6-0 (Schiff not present for the vote.

4. Urban Agriculture Policy Plan (Ward: All), (Amanda Arnold).

A. Plan: Considering City Council adoption of the Urban Agriculture Policy Plan.

The plan area is city-wide as it pertains to land use and urban agriculture. The plan includes recommendations related to zoning and land use, land availability, the City's community garden pilot program, and economic development.

Action: The City Planning Commission recommended that the City Council approve the Urban Agriculture Policy Plan, amending the City's comprehensive plan to incorporate the policy direction, with the following change:

1. The Community Garden Program section, with its recommendations, from page 60 of the Urban Agriculture Policy Plan will be moved to the "Suggested Future Efforts" section on page 61.

Staff Arnold presented the staff report.

Commissioner Tucker: Could you highlight some of the changes in the text you made in response to comments from letters and the Committee of the Whole meeting?

Staff Arnold: We got about 80 letters. They were very supportive and some said they loved it and asked for us to do a little bit more. We clarified that the zoning code text amendments would be done in conjunction with assistance from people who were doing growing now. We would use those types of technical experts as we come back and define things like market gardens and urban farms. We also did some rewording of things. We talked about prohibiting on the ground market gardens in areas where we want a lot of development in our activity centers and growth centers. We pulled the definition of aquaponics or aquaculture away from the other terms that we thought should be defined saying that might need a little bit more study than some other things like urban farm and market garden which might be a little bit more clear cut, but when you're dealing with any kind of animal related issue, it might need a little bit more study. We added a recommendation that incentives be explored for having growing as an interim use on stalled development sites. We added a little more clarity that we will be using this guidance when we update the Comprehensive Plan in this next round. We added a recommendation to make it clear that we would continue to seek out lead testing for city owned sites as long as resources are available and that we would use criteria that we developed last summer for the community garden pilot program. When we're looking at land and we make a recommendation that some parcels might be well suited for…if they're not suited for development, they may very well be suited for urban agriculture. We don't want those to just be leftover sites, we also want them to be good for urban agriculture and so we added a recommended clarifying that we would have criteria for that. The other things that we changed were in long term efforts by others, do you want me to keep going into those? Yes, ok. We added a recommended that the city should continue to work with the Minneapolis Park Board staff and school system staff to deal with issues related to urban agriculture and we clarified that any future study of allowing hoofed animals in the city would be done with technical experts and people who have expertise in animal welfare. Lastly, we added a section about composting. We got a lot of comments about composting. The issue there is that it's not primarily a land use issue. The zoning code determines where you put your compost container, but that really needs to be…a compost system would have to be an effort that would involve several city departments so we clarified that.

Commissioner Wielinski: Could you tell me at what point the city assessor's office would come in to the whole picture on how the land would be taxable or nontaxable?

Staff Arnold: There was a recommendation in the Homegrown Minneapolis report about providing tax incentives, easing tax burden for people doing growing. That was a tough thing for us to tackle. There is an issue related to the way the Assessor would come into this and we do, at times, sell land and then ask that a conservation easement be put on it and it's my understanding that that limits future development potential and would then potentially take down the land value for that parcel as well.

President Motzenbecker opened the public hearing.

Katherine Byers-Ferrian (3115 17th Ave S): I am a Minneapolis resident as well as a volunteer with the Center for Earth, Energy and Democracy. The center is basically an environmental justice organization located in Minneapolis. A few areas I encourage more research into on the

plan, on behalf of the center, the issue of renters living in apartments and other rented land. Currently, the plan does not state how renters and people who do not own land could participate. The plan does not yet discuss brown fields in the city. How is the plan going to work with communities who have added remediation needs due to brown fields and other environmental contamination? The definition of community and the phrase community gardens, the plan does not yet define what makes up a community and their main definition of community gardens. This could be of concern since many times people from various zip code areas all join one community garden space. The plan does not yet address what happens when public land used for food production and gardens in case that land property values rise. How, or will, the land still be accessible for people to grown on and not push gentrification? We have some additional comments that came to the center from our Minneapolis gardeners who are people of color and some of this included, how will the city create timely awareness of community garden opportunities to people of color, immigrants, non-English speaking and illiterate people? How will access to and the cost of water be equalize among all community gardens? How will the two million dollar insurance liability for community gardens in Minneapolis be facilitated? We hope that some of these concerns will be incorporated into the final plan. Thank you.

President Motzenbecker closed the public hearing.

Commissioner Tucker: I will move that we recommend that the city council approve the Urban Agriculture Policy Plan, thus amending the City's Comprehensive Plan (Huynh seconded).

Commissioner Schiff: I have one small amendment. On page 60, with our familiarity with the Comprehensive Plan we know that this is a long term policy document and the community garden programs recommendations are very specific. They talk about 18 parcels of land and next steps for staff to carry out in 2011 so it's more of a work plan list, an immediate to do list, rather than something that belongs in a 30 year policy document. I would suggest this be moved to "Suggested Future Efforts" or becomes a staff direction tandem with, but separate to, this section of the Comprehensive Plan.

Staff Arnold: I think moving it to "Suggested Future Efforts" would be a fine approach. These were things that people brought up during our public process so I'd still like to see them in the recommendations chapter and that's a way of doing that but separating it from the policy language.

Commissioner Schiff: Ok. I will move that section down to the first section under "Suggested Future Efforts."

President Motzenbecker: I'd like to thank staff for the work on this. As someone who participated on the steering committee and was engaged as much as I could be, I thought the work that was done and the willingness to go along with some of my crazy ideas was really flexible and I really appreciated your work and Aly's work and working with the steering committee in general. I think that this has gone leaps and bounds. Of course we always wish it could go farther and do some amazing things, but I think it sets us up with a good framework for moving forward as we get more advanced in what urban agriculture can be in the city and find ways to integrate it more. This gives us a good framework and like anything I'm sure we'll find things that we may need to tweak as we go along the way but I think it's a great start. Thank you. Any other comments? All those in favor of the plan with the amendment of moving the piece on page

60 about the community program items down to “Suggested Future Efforts” as the first item on the next page? Opposed?

The motion carried 7-0.