

Department of Community Planning and Economic Development – Planning Division
Rezoning Petition
BZZ – 4207

Date: October 6, 2008

Applicant: Powderhorn Park Neighborhood Association

Address of Property: 821 35th Street E

Project Name: Powderhorn Park Neighborhood Association

Contact Person and Phone: Kari Neathery, (612) 722-4817

Planning Staff and Phone: Kimberly Holien, (612) 673-2402

Date Application Deemed Complete: September 10, 2008

End of 60-Day Decision Period: November 9, 2008

Ward: 8 Neighborhood Organization: Powderhorn Park Neighborhood Association

Existing Zoning: R2B, Two-Family District

Proposed Zoning: OR1, Neighborhood Office Residence District

Zoning Plate Number: 26

Legal Description: Lots 1, 2, 3 and 4, Menage's 2nd Addition of Minneapolis

Proposed Use: Two office units

Concurrent Review:

Petition to rezone the property of 821 35th Street E from R2B to OR1.

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

Background: The applicant proposes to establish a second office unit in the existing building located at the property of 821 35th Street E. The building is currently occupied by the Powderhorn Park Neighborhood Association office on the first floor. The neighborhood association previously occupied the second floor office space as well. The first floor tenant space is approximately 2,950 square feet in area. The second floor tenant space is approximately 2,710 square feet in area. The applicant is proposing to add a second office space to the second floor. The proposed tenant for this office is the Landstewardship Project. The building is a former fire station. Nine parking stalls exist on the site, including one ADA accessible parking stall.

The site is currently zoned R2B, which does not allow office uses. The applicant is requesting OR1 zoning, which allows offices as a permitted use. The minimum lot size requirement for office uses in the OR1 District is 4,000 square feet. The site has 20,974 square feet of lot area, satisfying this minimum requirement. Under the requested OR1 designation, all required setbacks would also be met.

REZONING: Petition to rezone from R2B to OR1.

Findings as required by the Minneapolis Zoning Code for the rezoning petition:

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

Chicago Avenue, one-half block west of the property, is a community corridor. Community corridors support limited commercial uses that are measured against their impacts on residential character, such as production of fumes, noise, or negative aesthetics. The existing office use and proposed office tenant are not expected to negatively impact the nearby residential areas. The requested OR1 zoning may serve as an effective transition from the community corridor to the residential uses east of the subject site.

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

An amendment of the zoning district to OR1 would make the existing use conforming and would allow for potential reuse of an existing, non-residential building in the future. The amendment is in the public interest and not solely in the interest of the property owner.

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.

An office use and an automobile repair use, both in the C2 district, are located west of the site. Two single family homes are located north of the site and are zoned R2B. A 12-unit apartment building is located east of the site, also zoned R2B. The east half of the block on which the building is located is primarily occupied by commercial uses in the C1 and C2 zoning districts. The west side of the block is primarily comprised of single family homes in the R2B, Two Family, zoning district.

The proposed OR1 Neighborhood Office Residence zoning designation would allow for office uses and indoor theaters in addition to residential uses. The proposed zoning is compatible with the surrounding uses and zoning classifications.

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.

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The site contains an existing, non-residential building that was used as a fire station until 1994. At that time, the building was converted to a single family dwelling and a bookstore. The site was zoned B21 until 1999, when it was rezoned to R2B as part of the citywide rezoning study, making the commercial portion of the building non-conforming. The Powderhorn Park Neighborhood Association established their office in the building in 2005. The existing R2B zoning does not allow any commercial uses in this non-residential structure.

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.

Prior to 1999, the site was zoned B21 (similar to a C1 District in today's zoning code) and the adjacent properties to the west were zoned B3S (similar to a C2 District in today's zoning code). The subject site was rezoned to R2B while the adjacent properties were rezoned to C1. Within this immediate area of Minneapolis, there has not been recent change in the type of development.

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 City Council adopt the above findings and **approve** the petition to rezone the property of 821 35th Street E from the R2B district to the OR1 district.

Attachments:

1. Statement of use
2. Zoning Matrix
3. Zoning map
4. Site Plan and Floor Plans
5. Photos