

Minneapolis City Planning Department Report

Rezoning Application
BZZ-471

Date: March 18, 2002

Applicant: Ellis Properties, LLP

Address Of Property: 3055 Columbia Avenue

Date Application Deemed Complete: February 21, 2002

End of 60 Day Decision Period: April 22, 2002

Contact Person and Phone: Ray Ellis Phone: 612.547.3001

Planning Staff and Phone: Kimberly Tollefson Phone: 612.673.2998
Email: kimberly.tollefson@ci.minneapolis.mn.us Fax: 612.673.2526

Ward: 3 **Neighborhood Organization:** Concerned Citizens of Marshall Terrace (CCMT)

Existing Zoning: R2B

Proposed Zoning: I1

Zoning Plate Number: 5

Legal Description: Lots 1, 2, 3, 26, 27 and 28, Block 4, Northtown Addition to Minneapolis

Proposed Use: Light industrial rental property

Previous Actions: Mapped in 1999 by the City of Minneapolis from M1-3 (Industrial) to R2B

Signage: Two signs are proposed on the building walls of the office. Each sign is proposed as 12 square feet. Each sign conforms to the sign standards of the I1 zoning district.

Background: The applicant is requesting a rezoning from R2B to I1 in order to operate up to three light industrial uses at the subject site. The building can accommodate three separate users. The building will be rented to tenants that operate businesses that are permitted uses in the I1 zoning districts. Light industrial uses are considered low impact uses, which produce little or no noise, odor, vibration, glare or other objectionable influences and have little or no adverse impacts on surrounding properties.

In 1999 the City Council created and approved a new Zoning Code. During that process, the City reviewed zoning districts and made changes to the classification of districts where necessary. A variety

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of criteria were used to make these decisions. Avoiding the creation of non-conforming uses was one criteria used by the City for decision making. The property in question was zoned M1-3 under the 1963 Zoning Code. In 1999 the City rezoned the property from a light industrial district to the current R2B.

Originally, Mr. Ellis requested a rezoning from the R2B district to the I2 (medium industrial) on the six lots that were previously used as a chemical storage facility. During Planning's analysis of his proposal, it was found that an error was made in a map that the City used to determine whether the property should be rezoned in 1999. The digitized maps used to represent the 1963 zoning districts showed that only one of the six lots was zoned M1-3 under the 1963 Zoning Code. In fact, all six lots were zoned M1-3. If Planning had realized that all six lots were be utilized for one use and that all lots were zoned M1-3, the Planning Department would have mapped the entire parcel I1. I1 would have been selected to avoid creating a non-conformity and to ensure compatibility with the nearby residential zoning districts and uses.

The City can not correct the error without initiating a 40-acre study. After discussions with the applicant, it was decided that the applicant would pursue an I1 rezoning. Mr. Ellis gained signatures for the rezoning to an I1 rather than the I2 zoning district.

Neighborhood Review: According to a letter dated February 22, 2002, Maureen Carlson, CCMT Chairperson, the neighborhood group voted to approve the proposed rezoning. The letter also suggests ways to mitigate potential traffic hazards and the need to add landscaping (please see attached letter).

Findings As Required By The Minneapolis Zoning Code:

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

According to the Land Use Policy Map, the area is designated as Light Industrial. The following policies relate to this site and the proposal:

- Minneapolis will support the existing economic base by providing adequate land and infrastructure to make city sites attractive to businesses willing to invest in high job density and low impact, light industrial activity.
- Minneapolis will continue to provide a wide range of goods and services for city residents, to promote employment opportunities, to encourage the use and adaptive reuses of existing commercial buildings and to maintain and improve compatibility with surrounding area.
- Minneapolis will protect residential areas from the negative impact of non-residential uses by providing appropriate transitions.
- Minneapolis will build on recent initiatives to use Crime Prevention Through Environmental Design (CPTED) principles when designing all projects that impact the public realm, including open spaces and parks, on publicly owned and private land.
- Minneapolis will prioritize growth in light industrial land uses to increase the tax base and create jobs for city residents.

This proposal is consistent with the comprehensive plan. The site and building are currently vacant and adjacent to a park and community garden. The reuse of this vacant, existing industrial/commercial building would be beneficial in terms of the tax base and job creation. Having employees on site will

also increase the visibility and patrolling of the public street, community gardens and park area and therefore implement valued principles of CPTED. Adjacent uses to the south include community gardens and a contractor's office. The community garden serves as an appropriate transition area to the existing residential uses.

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 property owner to utilize the site for light industrial uses in conformance with the Zoning Code. The owner will be able to take advantage of an existing site and building that is conducive to industrial use. The reuse of the vacant building has public benefits. Benefits include job creation and increased tax base for the city. In addition, an active site is more beneficial than a vacant site in terms of the ability to patrol the site and adjacent areas. Adjacent areas include a community garden and park.

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 site is bordered by R2B zoning to the immediate south, west and east. I2 and I1 zoning exists to the north. There is a pocket of OR1 zoning southeast of the site within the same block (please see attached zoning plate map). Adjacent uses include a park and community garden, an Xcel plant located to west and north and a variety of industrial uses to the north.

The proposed use and zoning is compatible with the surrounding area. At street level, the office building is similar to the adjacent building to the north, which is a nut company. The community garden serves as an appropriate transition area exist between the proposed I1 district and the residential uses to the south. At the rear of the site (east) a larger yard exists with existing trees, this area helps create a buffer from the rear of the warehousing building to the residential uses across Randolph Street.

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.

There are reasonable uses of the property permitted under the R2B zoning classification. The R2B zoning classification is a low-density residential district. Permitted uses in the R2B district include but are not limited to the following:

- single family dwellings
- two-family dwellings
- parks and community gardens
- community residential facilities
- religious institutions

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.

Under the 1963 Zoning Code, the area had zoning classifications similar to the proposed zoning classifications. The R2B rezoning of this property in 1999 created a non-conforming use. The Planning Department attempted to avoid creating non-conforming uses. Rezoning the six R2B lots to I1 will bring the site into conformance.

Recommendation Of The City Planning Department:

The City Planning Department recommends that the City Planning Commission and City Council adopt the above findings and **approve** the rezoning application to I1 for the property at 3055 Columbia Avenue.