

Department of Community Planning and Economic Development – Planning Division
Rezoning Petition
BZZ – 3230

Date: October 16, 2006

Applicant: Center for Communication and Development

Address of Property: 4149 Lyndale Avenue North

Project Name: KMOJ Radio

Contact Person and Phone: Sarita Turner, (612) 865-4111

Planning Staff and Phone: Janelle Widmeier, (612) 673-3156

Date Application Deemed Complete: September 21, 2006

End of 60-Day Decision Period: November 20, 2006

End of 120-Day Decision Period: On October 3, 2006, staff sent the applicant a letter extending the decision period no later than January 19, 2007.

Ward: 4 **Neighborhood Organization:** Webber-Camden

Existing Zoning: C1 Neighborhood Commercial District

Proposed Zoning: C2 Neighborhood Corridor Commercial District

Zoning Plate Number: 4

Legal Description: Lot 2, Block 2, Bohanon & Hanscome Addition to Minneapolis

Proposed Use: Radio Station

Concurrent Review: Petition to rezone the property of 4149 Lyndale Avenue North from C1 to C2.

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

Background: The applicant proposes to establish a radio station in an existing building located at the property of 4149 Lyndale Avenue North. The site is currently zoned C1, which does not allow radio stations. The applicant is requesting the C2 zoning, where radio stations are a permitted use. A roof-top satellite dish is proposed. As proposed, the satellite dish will require administrative review and approval by the zoning administrator. As of writing this staff report, staff has not received any correspondence from the neighborhood group. Staff will forward comments, if any are received, at the City Planning Commission meeting.

REZONING:

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.

The site is in an area designated as a commercial node by *The Minneapolis Plan*. The site is also located less than one block from a commercial corridor. According to the principles and policies outlined in the plan, the following apply to this proposal:

4.4 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 reuse of existing commercial buildings, and to maintain and improve compatibility with surrounding areas.

Applicable Implementation Steps

Provide for a range of commercial districts that provide the services required by the residents and businesses.

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

4.5 Minneapolis will identify Neighborhood Commercial Nodes that provide a shopping environment of small-scale retail sales and commercial services and are compatible with adjacent residential areas.

Applicable Implementation Steps

Support the continued presence of small-scale retail sales and commercial services in Neighborhood Commercial Nodes.

Direct other uses that act as neighborhood focal points (institutional, cultural or social) to locate at Neighborhood Commercial Nodes.

Limit the territorial expansion of Neighborhood Commercial Nodes, but encourage rehabilitation and reinvestment in existing buildings.

Ensure that commercial uses do not negatively impact nearby residential areas.

Staff comment: The site is currently zoned C1. The C1 district is established to provide a shopping environment of small scale retail sales and commercial services. The C2 district would continue to allow commercial uses and employment opportunities on the site and reuse of an existing building. The rezoning would not expand the commercial node. Further, the site does not abut any residential properties. Nearby residential properties are separated from the site by an alley. The amendment would be consistent with the comprehensive plan.

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 C2 would allow for the establishment of a broader range of retail sales and services than are allowed in the C1 district. The C2 district allows automobile oriented uses, such as automobile service uses with a car wash or fuel pump. These uses would not be appropriate in a commercial node. However, the size of the site would not allow the establishment of these uses. Further, the amendment would allow for more employment opportunities and reuse of an existing building. 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.

The east half of the block where the site is located is occupied by nonresidential uses. Two of the eight properties located on this half of the block are currently zoned C2. The other properties are zoned C1. The subject site is adjacent to a property zoned C2 to the south and C1 to the north. The west half of the block is zoned R2B Two Family Residential and is separated from the east half of the block by an alley. Therefore, the site does not abut any residential properties. Undeveloped land in the C1 district and I-94 are located on the opposite side of Lyndale Avenue. The proposed zoning should be 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.

Many retail sales and commercial services are allowed in the C1 district. The amendment would allow a broader range of commercial uses with more employment opportunities and reuse of an existing building on a site with close proximity to the freeway.

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 east half of the block was zoned B3S-2, Community Service District. The former district is most similar to the C2 district for allowed uses. Within this immediate area of Minneapolis there has not been a change in zoning or in the type of development since 1999.

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 4149 Lyndale Avenue North from the C1 district to the C2 district.

Attachments:

1. Statement of use
2. Zoning map
3. Plans
4. Photos