

## **Minneapolis CPED- Planning Division Report**

Creating TPOD Zoning District  
BZZ-1690

**Date:** April 17, 2004

**Applicant:** Excelsior Development, LLC

**Address of Property:** 2220 10<sup>th</sup> Avenue South

**Date Application Deemed Complete:** 4/05/04

**End of 60-Day Decision Period:** 6/05/04

**Applicant has waived 60-Day Requirement:** NA

**Contact Person and Phone:** Assmi Sabri 612-998-0963

**Planning Staff and Phone:** Merland Otto 612-673-2576

**Ward:** 6      **Neighborhood Organization:** Ventura Village

**Existing Zoning:** R-2B (Plate 20)

**Proposed Use:** Transitional Parking Overlay District

**Concurrent Review:** NA

**Appropriate Section(s) of the Zoning Code:** Chapter 551 - Overlay Districts

### **Prior Approvals:**

Conditional Use Permit Application (C-2046): Approved 3/19/01, Amended 2/9/04.

Site Plan Review (PR-575): Approved 3/19/01, Amended 2/9/04.

Variance (V-421): On 3/19/01, the Planning Commission approved a variance to reduce the applicable off-street parking requirements from 138 to 42, based on the assumption the proposed use would serve pedestrian and transit-oriented uses, Amended 2/9/04.

### **Background:**

Excelsior Development, LLC as part owners and managers of Village Market originally applied for and received approval for a farmers' market/multi use center at the former Metz bakery site on 24<sup>th</sup> Street

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East at 10<sup>th</sup> Avenue So. This application addresses creation of a Transitional Parking Overlay District (TPOD) for two adjoining parcels to address parking issues related to the development.

On February 9, 2004 the City Planning Commission approved amendments to the Conditional Use permit, the site plan, setback variances, and designated three parcels across 10<sup>th</sup> Ave. South a Transitional Parking Overlay District. These two parcels were denied rezoning from R2 to I1 as the applicant had petitioned. The Commission requested that alternative zoning be considered that would allow for parking lot development. Excelsior Development has applied to have these two parcels also designated a TPOD which would allow for the development of the parking lot which would provide 30 parking spaces and maintain the current underlying zoning of R2.

The Zoning Code requires that Transitional Parking Overlay Districts abut the primary zoning district for which the parking will serve.

- **Additional parking:** The project as originally approved had a parking requirement of 138 parking stalls, and a supply of 42 stalls. The Commission approved a 70% variance for the 96-stall gap. Since then, the applicant obtained site control for two additional parking lots with a capacity of 60 stalls. As currently proposed, the expanded project now has a parking requirement of 244 parking stalls and a supply of 102 stalls. This yields a 142-stall gap, but the size of the variance as expressed as a percentage of the total requirement decreases to 58%.
- In an effort to alleviate the on street parking demand, the developer instituted (in 2003) a no parking on site policy for tenants in order to leave on site parking available for patrons.
- The developer has also entered into an agreement with the Boys and Girls club approximately a block away to use up to 80 spaces for off site parking. Reportedly, the developer is providing both maintenance and security services for the use of this lot. From a practical standpoint, this can aid in relieving some of the parking problem for Village Market. Under City Code, however, since the Boys and Girls Club property is zoned R2B, those spaces cannot be counted against the parking requirements for a property in an industrially zoned district or used as such without a TPOD. It should be noted that a unique circumstance of this development is that despite public parking ramps or possible excess surface parking in the area, ( and regardless of any agreement the developer would enter into with the owners for parking privileges ), those parking spaces could not be counted against the needed parking requirements because all would be in residentially zoned districts.

### Findings as Required By the Minneapolis Zoning Code for the Zoning Petition

1. **Whether the amendment is consistent with the applicable policies of the comprehensive plan.**
  - a. **The *Minneapolis Plan* (adopted by the City in 2000):** The following policies are most relevant to the proposed rezoning:  
**Policy 2.8: Minneapolis will develop the existing economic base by emphasizing business retention and expansion.**

**Implementation Steps (selected):**

- Promote business start-ups, retentions and attractions. Foster a healthy business environment by encouraging access to the resources and information necessary for successful operation.

**Policy 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.**

**Implementation Steps (selected):**

- Maintain and strengthen the character and marketability of small-scale commercial areas throughout the city through technical and financial assistance to qualified neighborhood businesses, neighborhood based business associations and local development corporations.

**Policy 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.**

**Implementation Steps (selected):**

- Support the continued presence of small scale retail sales and commercial services in 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.
- Develop parking facilities and management strategies that balance the following goals: improved customer access, protection of sidewalk traffic; reduced visual impacts, mitigated impacts on neighboring uses and shared use of parking facilities.

**b) Consistency with the *Minneapolis Plan* policies:**

- The approval by the Planning Commission of the first phase of the project in 2001 anticipated that an expansion was likely to occur to use the remainder of the building. In order for the expansion to proceed without adversely impacting on-street parking supply on the adjacent streets during the peak periods, additional parking is needed, which triggers the need for the rezoning. Rezoning for the two parking lots will enable 24,000 sq. ft. of business startups in the existing building, the creation of new jobs targeted to the surrounding neighborhood, and more goods and services consistent with Policies 2.8 and 4.4.
- The *Minneapolis Plan* does not designate this area as a Neighborhood Commercial Node, however, the Plan describes the criteria for

designation. The Planning Commission's approval of the project in 2001 allowed the development to proceed to the point that it now fits the definition of a Neighborhood Commercial Node even if it is not formally designated.

The current expansion project is consistent with Policy 4.5. The proposed off-site parking lots are also consistent for the following reasons: The lot on the northeast side of the side of the site is vacant and underutilized. When rezoned and improved, the parking lot will improve customer access; help eliminate peak-period, off-site parking impacts; and improve the appearance of the area with a fully developed landscape plan.

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

Designating the parcels as a TPOD to allow the development of a parking lot will help to alleviate parking demand for the Village Market. The Village Market has become, in addition to an economic center, a community base for a significant portion of the Somali community.

**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 and area have been used for and zoned for a wide range of uses for many years. The zoning in the area includes medium and high density residential (R2B, R4, R5 and R6), and office-residential (OR1-3). Uses include medium-to-high density residential, institutional (e.g. Phillips Eye Institute and the Boys and Girls Club), and a wide variety of office uses. The village Market site is the only industrial zoning in the area. A circumstance, however, that is unique to this property is that virtually no other commercial or industrially zoned property is located within 500' of the Village Market. Thus, regardless of the efforts of the owner to secure parking from others, those usable spaces cannot be counted (under City Code) to offset the parking requirements generated by this development. Rezoning the two adjoining parcels to allow parking on them will not create new long or short-range problems for the nearby uses and will aid in relieving parking demand on adjacent streets.

**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 current R2B zoning on the two parcels does not permit accessory parking for commercial, the district does allow single and two-family homes. Since the parcels are under the same ownership as the Village Market and are needed to meet parking

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requirements, it is unlikely that they would be used for another use jeopardizing the conditional use permit of the market, itself.

NE lot: The lot on the northeast corner of the site (44 X 146 = 6,424) is large enough to build a single-family house (min. 5,000 sq. ft. lot) but not a duplex (min. 10,000 sq. ft. lot).

- 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.**

The primary change to the immediate area is the conversion and reuse of a vacant building to a retail center. Significant improvements have been made to the building both on the exterior and the interior. The property diagonally across the street has also recently been improved.

### **Recommendations of the Community Planning and Economic Development Planning Division:**

#### **Zoning**

The Community Planning and Economic Development Planning Division recommends that the City Planning Commission and the City Council adopt the above findings and **approve** the application for creating a TPOD on the adjoining north east parcel (Lot 16, Block 2, Chicago Ave. Second Addition and Lot 1, Block 3, Wright and Fisk's Addition) which is a part of 912 24<sup>th</sup> St. East.

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