

**Department of Community Planning and Economic Development – Planning Division**  
**Rezoning Petition**  
**BZZ – 4444**

**Date:** July 27, 2009

**Applicant:** Chris Cichon

**Address of Property:** 2635 4<sup>th</sup> Street Southeast

**Project Name:** University Business Center

**Contact Person and Phone:** Chris Cichon, (651) 633-0107

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

**Date Application Deemed Complete:** June 23, 2009

**End of 60-Day Decision Period:** August 22, 2009

**End of 120-Day Decision Period:** On July 15, 2009, staff sent the applicant a letter extending the decision period no later than October 21, 2009.

**Ward:** 2      **Neighborhood Organization:** Prospect Park East River Road Improvement Association

**Existing Zoning:** I1 Light Industrial District and PO Pedestrian Oriented Overlay District

**Proposed Zoning:** Add the IL Industrial Living Overlay District to the existing I1 District

**Zoning Plate Number:** 22

**Legal Description:** Lot 1, Block 1, Parten Addition, Hennepin County, Minnesota.

**Proposed Use:** Establish a martial arts school in an existing multi-tenant building.

**Concurrent Review:** Rezoning petition to add the Industrial Living Overlay District to the property of 2535 4<sup>th</sup> Street Southeast.

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

**Background:** The applicant proposes to establish a martial arts school in the existing building located at the property of 2635 4<sup>th</sup> Street Southeast. The site is surrounded by primarily nonresidential uses and is adjacent to the University of Minnesota Transitway. It is approximately 2 blocks from a proposed stop on the Central Corridor Light Rail Transit line. Multiple uses, both industrial and commercial, are located on the site. The proposed use would be located in a 6,200 square foot tenant space on the east side of the building. No external changes are proposed to the building.

The I1 Light Industrial district allows few commercial uses. The allowed uses do not include performing, visual or martial arts schools. The IL Industrial Living Overlay District can be added to I1 or I2 districts to allow additional commercial uses, including performing, visual or martial arts schools, in buildings existing as of September, 2000. The applicant seeks to add the IL Industrial Living Overlay District to the subject property for the purpose of establishing a martial arts school.

Almost all of the automobile parking required for the proposed use and existing uses is already available on-site. To meet the minimum requirements, the applicant has submitted an application to reduce the parking requirement by using the bicycle parking incentive allowed by the zoning code. The automobile parking shortage is 7 spaces, therefore the applicant will need to provide at least 24 bicycle parking spaces. Six of those spaces are required for the proposed use. The application is reviewed administratively and has been approved, subject to the racks being installed within one year of the adoption of the zoning amendment and in compliance with bicycle parking standards found in section 541.180 of the zoning code.

As of the writing of this report, staff has not received any correspondence from the neighborhood group. Staff will forward additional comments, if any are received, at the City Planning Commission meeting.

**REZONING:** Petition to add the IL Industrial Living Overlay District to the property of 2635 4<sup>th</sup> Street Southeast.

**Findings As Required By The Minneapolis Zoning Code:**

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

The site is located in an area designated by *The Minneapolis Plan* as a growth center for the University of Minnesota Area. (In the update of the comprehensive plan, *The Minneapolis Plan for Sustainable Growth*, the site is located in the 29<sup>th</sup> Avenue and University Avenue Southeast transit station area and the future land use is mixed use.) According to the principles and polices outlined in the plan, the following apply to this proposal:

**3.3 Minneapolis will create a Growth Center plan for the University of Minnesota/ SEMI area, similar to the Downtown 2010 plan which would guide decisions and investment in the area, recognizing the contributions from existing plans and planning processes.**

**Applicable Implementation Step**

Promote moderate to high density housing of a variety of affordability levels and supporting commercial uses adjacent to the University of Minnesota.

**9.26 Minneapolis will prioritize growth in light industrial land uses to increase the tax base and create jobs for city residents.**

**Applicable Implementation Steps**

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Identify appropriate areas for the retention and expansion of existing industry and the development of new industry in specific industrial and business park opportunity areas.

The City Council adopted *University Avenue SE & 29<sup>th</sup> Avenue SE Development Objectives* in 2007. The plan identifies the subject site as a rehabilitation and reuse opportunity site. These types of sites contain existing buildings that could be worth saving and adaptively reusing in the future. If redevelopment does occur, the plan indicates that high density, multi-family housing should be established.

The site is **not** located in a designated Employment District in the *Minneapolis Industrial Employment and Policy Plan*.

*Staff comment:* The long term vision for the site and surrounding area south of the transitway is to transition from industrial to a mix of commercial and residential uses. The ILOD would allow more commercial uses and residential uses currently not allowed by the existing zoning. The proposed zoning would be consistent with the policies of the comprehensive plan.

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

Redevelopment in the surrounding area and a transition of uses from industrial to commercial and residential is expected in the near future as a result of the construction of the Central Corridor LRT line. An amendment of the zoning district would allow for the establishment of more commercial and residential uses that can support a transient oriented neighborhood. 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.**

Properties north of 4<sup>th</sup> Street are zoned industrial and are occupied by industrial uses and parking lots. South of 4<sup>th</sup> Street, zoning is mixed and includes C3A, I1, OR2, C1, and C2. The uses occupying these properties are also a mix of residential and nonresidential uses. The PO overlay district covers all commercial, office residential and industrial zoning south of the transitway. 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.**

A variety of light industrial uses and limited commercial uses could occupy the site. Because the site is near the University of Minnesota and only two blocks from a proposed LRT stop, allowing more commercial and residential uses is more appropriate use of the land.

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.**

There has been a change in the character and trends of development in the general area of the property in question. When the subject property was placed in its industrial zoning classification, most of the uses along 4<sup>th</sup> Street and University Avenue were either industrial or commercial and more automobile oriented in nature. Recent development has introduced medium- to high-residential density and neighborhood serving retail sales and services uses primarily located along University Avenue. With the construction of the Central Corridor LRT, this trend of development is expected to continue and to extend to properties fronting 4<sup>th</sup> Street.

### **RECOMMENDATION**

#### **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 add the Industrial Living Overlay District to the property of 2635 4<sup>th</sup> Street Southeast.

#### **Attachments:**

1. Statement of use and findings
2. Correspondence
3. Zoning map
4. Plans
5. Site photos